

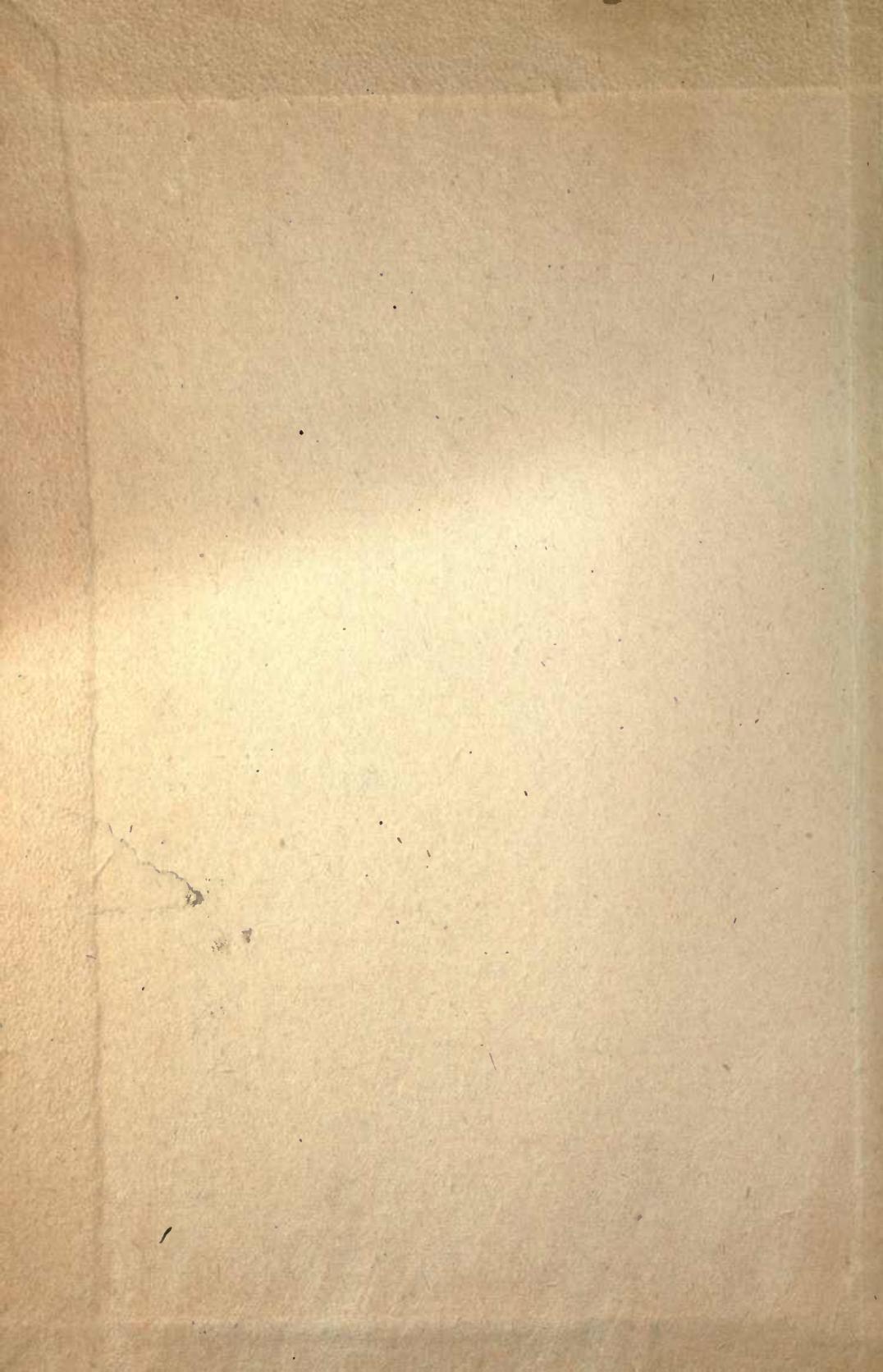
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THE  
**PEACE CONFERENCE**  
PARIS, 1919.

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**REPORT OF**  
**THE DELEGATION OF THE JEWS**  
**OF THE BRITISH EMPIRE**  
ON THE  
**TREATIES OF VERSAILLES, SAINT-**  
**GERMAIN-en-LAYE AND NEUILLY AND**  
**THE ANNEXED MINORITY TREATIES.**

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PRESENTED TO THE BOARD OF DEPUTIES OF BRITISH JEWS AND  
THE COUNCIL OF THE ANGLO-JEWISH ASSOCIATION, FEBRUARY, 1920.

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LONDON.

The Joint Foreign Committee of the Board  
of Deputies of British Jews and the  
Anglo-Jewish Association.

2, Verulam Buildings, Gray's Inn, W.C. 1.

1920.

PEACE CONFERENCE  
PARIS, 1919

REPORT OF  
THE DELIGATION OF THE  
EMPIRE OF JAPAN TO THE  
PEACE CONFERENCE  
AT PARIS, 1919

CHIEF OF THE DELIGATION: M. K. SAKAMOTO, FROM THE GOVERNMENT OF JAPAN.

APPENDIX

APPENDIX  
TO THE REPORT OF THE  
DELIGATION OF THE  
EMPIRE OF JAPAN TO THE  
PEACE CONFERENCE  
AT PARIS, 1919

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## REPORT.

1. The Delegation of the Jews of the British Empire, referred to throughout this Report as the Joint Delegation, was appointed in pursuance of a "plan of action in regard to the Peace Conference", adopted by the Joint Foreign Committee of the Jewish Board of Deputies and the Anglo-Jewish Association at its sitting on November 14, 1918—three days after the signature of the Armistice with Germany.<sup>(1)</sup> Clause 4 of this plan ran as follows:—

That a Delegation of the Joint Committee, accompanied by a suitable Secretariat, shall proceed to the seat of the Peace Conference and act together with similar Delegations from the Alliance Israélite, the American Jewish Committee, and the Jewish Committee of Rome, in watching Jewish interests, and more especially in promoting before the Conference adequate measures for the emancipation of the Jews in all countries where they still labour under political, civil, and economic disabilities.

2. On January 28, 1919, the Committee nominated its two Presidents, Sir Stuart M. Samuel, Bart., and Mr. Claude G. Montefiore, together with Lord Rothschild and Lord Swaythling, to act as the Delegation, and their election was confirmed by the two parent bodies on February 16 and March 2 respectively. Subsequently, owing to the inability of Lord Rothschild and Lord Swaythling to proceed to Paris, Messrs. H. S. Q. Henriques and Joseph Prag were elected in their place.

3. In order to understand clearly the task confided to the Delegation, and the policy pursued by it, a brief survey of the relevant activities of the Conjoint Committee and of its successor, the Joint Committee<sup>(2)</sup>, since the Congress of Berlin in 1878, is necessary.

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1. Appendix III., No. 25, p. 71.

2. The Conjoint Foreign Committee, consisting of Delegates of the Board of Deputies and the Anglo-Jewish Association, was appointed under a Treaty between the two bodies in 1878. The Treaty was terminated in 1917, and a new Committee similarly constituted was appointed early in 1918.

4. At that time the Jewish communities of Russia, Roumania, the Balkan States and the Ottoman Empire, in common with other racial and religious minorities, suffered under severe civil and political disabilities, and were at times even subject to brutal persecutions. The Congress of Berlin, following the example of other high international Assemblies, sought a remedy for this lamentable situation. Acting on the well-established principle that the Concert of Europe is responsible for the good government of States created or enlarged by its authority (3), it inserted in the Treaty which issued from its deliberations Articles making the recognition of the independence of Roumania, Serbia, Bulgaria and Montenegro, and the autonomy of Eastern Roumelia, dependent on the adoption by those States of laws securing civil and religious liberty and equality to all their subjects. A similar provision was accepted by Turkey, although she had not been either created or enlarged by the Congress; but in the case of Russia its application was found impracticable, and even the cession of Bessarabia was not made subject to a like stipulation.

5. These Articles of the Treaty of Berlin were in identical terms. In view of subsequent events, the text relating to Roumania is here quoted:—

XLIII. The High Contracting Parties recognise the independence of Roumania, subject to the conditions set forth in the two following Articles.

XLIV. In Roumania the difference of religious creeds and confessions shall not be alleged against any person as a ground for exclusion or incapacity in matters relating to the enjoyment of civil and political rights, admission to public employments, functions, and honours, or the exercise of the various professions and industries in any locality whatsoever.

The freedom and outward exercise of all forms of worship shall be assured to all persons belonging to the Roumanian State, as well as to foreigners, and no hindrance shall be offered either to the hierarchical organisation of the different communions, or to their relations with their spiritual chiefs.

The subjects and citizens of all the Powers, traders or others, shall be treated in Roumania without distinction of creed, on a footing of perfect equality.

6. These stipulations were accepted and executed without demur by all the States concerned except one. Roumania raised difficulties, and a long diplomatic struggle ensued. Owing to dissensions among the Great Powers, a compromise was eventually agreed

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3. Wolf. "Notes on the Diplomatic History of the Jewish Question" (Lond. 1919) *passim*  
Cf. Appendix III., No. 36, pp. 83-87.

upon with her by which she was allowed to fulfil her obligations gradually, but without any time-limit. She never fulfilled them. (4)

7. Thus two European Jewish questions still remained unsolved—the Russian and the Roumanian. They constituted, however, the major part of the problem as it had existed previously to the Congress of Berlin, for the Jews affected numbered at the time upwards of 4,000,000, of whom  $3\frac{3}{4}$  millions were in Russia.

8. In attempting to find solutions for these questions the Conjoint Committee were confronted by political difficulties of a very formidable kind.

9. In Russia they were virtually helpless. The Western Powers possessed no Treaty right of intervention in that country, and, in view of the decisive rôle played by it in the European system, they were only too ready to avail themselves of this technical disability to close their ears to the bitter cries of the oppressed Jews. As the system of European alliances developed, this difficulty became ever more insuperable, and, when ultimately Russia entered the Anglo-French Entente, it seemed as if the doors were finally closed to all chances of Jewish emancipation in that country. Up to that time the only chance lay with public appeals to the humanitarian sentiment of the free nations of the West. In this direction the Conjoint Committee, acting in unison with cognate bodies on the Continent and in America, were not wanting in energy or courage, and more than once they succeeded in enlisting a great volume of public sympathy and protest on behalf of their oppressed co-religionists. But the task, in the political circumstances of the time, was all but hopeless, and when in 1907 the Triple Entente was completed, with Russia as the indispensable Ally of Great Britain and France, it was obvious that even the mildest public criticism of Russia's ill-treatment of her Jewish subjects had become exceedingly difficult.

10. In Roumania the problem presented itself differently and, apparently, more hopefully. The Treaty right of intervention, which was wanting in the case of Russia, existed in that of Roumania, for, by the Treaty of Berlin and the compromise which followed it, that country was pledged to emancipate her Jewish subjects. Unfortunately, Roumania was enabled by a juridical subterfuge to evade her Treaty obligations, and at the same time to escape European

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4. Appendix II., No. 4, Encl. 1, pp. 48-59.

coercion. Noting that the Treaty assumed that the whole native population of the several States affected by the civil and religious liberty clauses were nationals of those States, she proceeded to declare her own native Jews to be foreigners, and thus made their acquisition of civil and political rights dependent upon naturalisation, which was very rarely granted. In this way the Jews of Roumania became excluded from the benefits of the Treaty of Berlin, though the Roumanian Legislature amended its constitution by an ostensible acceptance of the stipulations of the Treaty. Their condition, indeed, was made worse than it had been before. Instead of obtaining rights of citizenship, they lost all nationality, and, being transformed into aliens without any Governments of their own to protect them, they became exposed to a specially cruel oppression. (5)

11. Undeterred by the speciousness of the Roumanian manœuvre, the Conjoint Committee and its allies lost no opportunity of bringing the ill-treatment of their co-religionists to the notice of the Great Powers, and of claiming the loyal fulfilment of Article XLIV. of the Treaty of Berlin. (6) In 1902, they succeeded in persuading the British Government to sound the signatory Powers with a view to intervention. But here a fresh difficulty arose. Some of the Powers, notably Russia and Germany, declined to participate, and, as it was held that the Treaty could only be enforced by the collective action of all the signatories, intervention became impossible. (7) Thus, the measures taken by the Berlin Congress for the emancipation of the Roumanian Jews were completely frustrated, and their situation became as hopeless as that of their Russian brethren. It was clear that only by an amendment of the terms of the civil and religious liberty clauses of the Treaty of Berlin, and by the contrivance of some more effective guarantees for their execution, could the question be solved.

12. No opportunity presented itself of putting forward proposals in this sense until the reopening of the Eastern Question in 1908. From that year onward the Conjoint Committee not only kept the grievances of the Roumanian Jews continually before His Majesty's Government, but, in view of the risk of other Eastern

5. Appendix II., No. 4, Encl. 1, pp. 48-59.

6. "Correspondence with H.M. Government relative to the Treaty Rights of the Jews in Roumania" (Lond. 1919). Privately printed for the use of the Peace Conference.

.7 *Ibid.*, pp. 31-32. For full details see Wolf, "Diplomatic History of the Jewish Question," pp. 36-45.

States following the example of Roumania, insisted that no further transfers of territory should be countenanced by the Great Powers unless and until the civil and religious liberty clauses of the Treaty of Berlin were accepted and loyally acted upon by the annexing States. These representations were received with marked sympathy by Sir Edward (now Viscount) Grey, then Secretary of State for Foreign Affairs. He not only caused an exhaustive inquiry to be made into the Roumano-Jewish question, but agreed to propose to the Great Powers action in the sense suggested by the Conjoint Committee. In this connection the Committee took care to provide against any repetition of the evasion of the clauses as contrived by Roumania, and on March 12, 1914, proposed that in any reaffirmation of these clauses which might be rendered necessary by the territorial changes resulting from the two Balkan wars, the following paragraph should be added to them:—

All persons of whatever religious belief born or residing in the territories annexed to —, in virtue of the Treaties of London and Bucharest, and who do not claim a foreign nationality, and cannot be shown to be claimed as nationals of a foreign State, shall be entitled to full civil and political rights as nationals of the Kingdom of —, in accordance with the foregoing stipulations.

The correspondence on this subject only ended on July 23, 1914, less than a week before the outbreak of the Great European War. (8) Up to that time none of the territorial changes brought about by the wars of 1912 and 1913 had come before the Great Powers for recognition, and consequently no opportunity had arisen for the application of the new formula.

13. Owing very largely to the forethought of Mr. D. L. Alexander, K.C., then one of the Presidents of the Conjoint Committee, and the late Mr. Leopold de Rothschild, C.V.O., Vice-President of the Board of Deputies and one of the most devoted members of the Committee, preparations for dealing with the Jewish questions in connection with the eventual reconstruction of Eastern Europe were set on foot very shortly after the outbreak of the Great War. At the sitting of the Committee on January 12, 1915, a new department for the study of these questions, and for watching subsidiary Jewish questions arising out of the War, was created. The direction was confided to Mr. Lucien Wolf, who was accredited to the Secretary of State for Foreign Affairs to transact War business on behalf

8. "Correspondence with H.M. Government relative to the Treaty Rights of the Jews in Roumania" (Lond. 1919), pp. 47-57.

of the Committee. On its side the Foreign Office was good enough to make special arrangements to facilitate Mr. Wolf's work.

14. The task of the Committee had now become one of exceeding delicacy. The situation of the Jews in Russia and Roumania not only showed no signs of a radical improvement, but actually became aggravated as the War proceeded. On the other hand, Russia was the loyal Ally of Great Britain, France, and Italy, while Roumania was a possible Ally, to whose co-operation much value was attached. In these circumstances, the public raising of the Jewish question could only tend to create controversies with the Governments of those countries, and this might have weakened their whole-hearted military co-operation with their Western Allies. The Conjoint Committee felt that it was their duty at all costs to avert such a misfortune. Nevertheless, with the concurrence of His Majesty's Government, they made private efforts from time to time to obtain a mitigation of the sufferings of the Russian Jews, especially in connection with the visits to London of the Imperial Minister of Finance, M. Bark. These efforts resulted in August, 1915, in certain notable concessions.<sup>(9)</sup> Unfortunately, their practical effect was scarcely perceptible, and the ill-treatment of the Jews, especially in the War zone, became worse than ever. It was, however, only when this ill-treatment was found to be reacting unfavourably on the cause of the Entente Powers in neutral countries and especially in America, that the Committee departed from its reserve.

15. On June 14, 1916, in the course of a conversation at the Foreign Office, Mr. Lucien Wolf touched on the question of formal negotiations between the Allies. He said he had no instructions from the Conjoint Committee to make definite proposals to His Majesty's Government, but he desired to inform himself of their views as to the possibility of such negotiations. He dwelt on the embarrassments already caused to the Allies, as well as to their Jewish subjects, by the persecutions, and the still greater embarrassments which might arise if solutions of the Jewish questions were left to be found by the Peace Congress, and he expressed the opinion that a settlement at the earliest possible moment would be clearly advantageous to the common cause. The spirit in which these representations were received was most encouraging, and on the following day Mr. Wolf sent to the Foreign Office a note of the

9. Chiefly a provisional modification of the restrictions<sup>▼</sup> on Jewish domicile.

views he had expressed. (10) The result was that on June 23 the Committee were officially invited by the Secretary of State to place their "considered views" before His Majesty's Government. (11) Owing to the necessity of obtaining a full *exposé* of the wishes of the Russo-Jewish community and the difficulty of communicating with them on so delicate a subject, the preparation of the statement asked for by Sir Edward Grey was somewhat delayed. Meanwhile the question had been rendered more urgent by the entry of Roumania into the War on the side of the Allies.

16. Towards the end of September the Memorandum of the Conjoint Committee was ready, and it was duly presented to the Foreign Office on October 1. (12) It reviewed all the Jewish questions which were likely to come before the eventual Peace Congress, and, while expressing a desire to make every concession to the convenience of the Allies, indicated the following points as essential to a satisfactory settlement:—

1. Jews of Russia:—Abolition of all political and civil disabilities differentiating them from their Christian fellow-countrymen.

2. Jews of Roumania:—Recognition of the right to Roumanian nationality of all Jews born in Roumania, and the immediate fulfilment of Article XLIV. of the Treaty of Berlin in regard to them.

3. Jews in Ceded Territories:—To enjoy the same equal rights with their Christian co-nationals as by law they enjoy at present.

4. Jews in Palestine:—Account to be taken of the historic interest Palestine possesses for the Jewish community; the Jewish population to be secured in the enjoyment of civil and religious liberty, equal political rights with the rest of the population, reasonable facilities for immigration and colonisation, and such municipal privileges in the towns and colonies inhabited by them as may be shown to be necessary (13).

17. More than three months elapsed before the final reply of the Foreign Office was received. The Committee have reason to know that a strong effort was made by His Majesty's Government to give effect to their proposals. An active exchange of views took place between London, Paris and Rome, but with the ebb and flow of the War at that period the view prevailed that it might not be altogether wise to undertake a step which might offend the Russian Government without conciliating the hostile elements in neutral opinion.

10. Appendix II., No. 2, pp. 41-43.

11. *Ibid.*, No. 3, p. 43.

12. *Ibid.*, No. 4, pp. 43-60.

13. *Ibid.*, No. 4, Encl. 2, p. 60.

On January 20, 1917, Mr. Balfour, who had succeeded Sir Edward Grey at the Foreign Office, informed the Conjoint Committee that "in view of the general situation in Europe," he was "unable to hold out hopes of an understanding being arrived at now or in the immediate future between the Allied Governments." (14)

18. Shortly after this disappointing decision the situation in Eastern Europe underwent a dramatic change. In March, 1917, the Russian Imperial Government was overthrown, and a Republic was proclaimed. This was quickly followed by a detailed decree emancipating the Jews and placing them on a footing of equality with their liberated fellow-countrymen. Although this did not very greatly diminish the intrinsic magnitude of the task of the Conjoint Committee, it simplified it in one important respect. Owing to the probability that new States would be created in the Western and South-Western Russian borderlands, where the Jews mainly congregated, the number of Jews unaffected by the Revolution was still very large; but, on the other hand, the difficulty of intervention on their behalf by the Great Powers had disappeared, inasmuch as the new States could only be brought into legal existence by European sanction and co-operation.

19. Another encouraging result of the Revolution was that it deprived Roumania and the reactionary factions in neighbouring countries of their last powerful support on the Jewish question. They were not slow to realise this and the consequent inconvenience of allowing that question to come before the Peace Congress. In October, 1917, the Roumanian Premier, M. Bratiano, despatched a confidential agent to London and Paris to sound the Conjoint Committee and the Alliance Israélite in regard to a settlement. At the same time negotiations took place with certain of the Polish political parties and with representatives of the Provisional Government of Finland (15), and later on the Roumanian negotiations were resumed with M. Take Jonescu. (16) The results, however, were not satisfactory. The Conjoint Committee were perfectly willing to agree on a settlement, but they insisted that it should be complete, and that it should take the form of solutions spontaneously adopted in legal and binding form by the Legislatures of the States concerned before the conclusion

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14. Appendix II., No. 5, p. 60.

15. *Ibid.*, Nos. 17-22, pp. 66-69.

16. *Ibid.*, Nos. 13-16, pp. 63-66.

of the War. These solutions were not forthcoming. The representatives of the Eastern States were prodigal of promises, but they were unwilling, and in the case of Poland perhaps unable, to give immediate effect to them. Hence, nothing came of the negotiations. It is probable that their failure was in some measure due to the uncertain outlook of the War at this period. The Bolshevik Revolution of November, 1917, and the disastrous Treaty of Brest-Litovsk had plunged Russia into civil war, and in the following May Roumania concluded a separate Peace with the Central Powers, which comprised a wholly illusory settlement of the Jewish question. (17) It looked as if, after all, Eastern Europe might be saved for Reaction and Anti-Semitism.

20. Happily this sinister anticipation was completely falsified. Before the winter set in, the cause of the Allies had triumphed on all fronts, and the road for a Liberal Peace and, with it, for Jewish freedom in Eastern Europe was once more open.

21. It will thus be seen that, although the problem with which the Joint Committee had to deal on the eve of the Peace Conference of 1919 had much increased in magnitude and complexity, it was far more susceptible to successful treatment than it had been at any time since the Congress of Berlin. Six States were involved, where previously only two had been in question, and their Jewish population now totalled close on 7,000,000 souls. But all these States were within the area of European reconstruction, and the right and duty of the Great Powers to make the privileges and advantages conferred on them conditional on guarantees of good government, especially in regard to the civil and religious liberty of their subjects, were incontestable. One point only remained obscure—the future of Russia. Assuming, however, that the Ukraine would make good her claim to independence, the number of Jews in Russia proper was relatively inconsiderable, and the problem of their future, though, perhaps, requiring separate treatment, did not give rise to serious anxiety.

22. The policy dictated by this situation and by the experiences of the Committee during the previous forty years, framed itself almost automatically. It took the form of a new redaction of the civil and religious liberty clauses of the Treaty of Berlin, enlarged and amended to remedy the defects of those clauses, and to provide for

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17. Appendix II., Nos. 7 and 8, p. 61.

new conditions which had arisen in the interval. A Memorial embodying this formula was addressed to His Majesty's Government on December 2, 1918, in which it was suggested that in the eventual Treaties of Peace it should be applied to all new and enlarged States. (18) Taking Poland as a typical example, the proposed text ran as follows:—

All persons born in the territories forming the new Republic of Poland, who do not claim to be subjects of foreign States, and all subjects of the States to which these territories formerly belonged, who are permanently domiciled in those territories, and who do not desire to retain their present nationality, shall be deemed to be citizens of the Polish State, and shall enjoy equal political and civil rights without distinction of race, language, or religion.

The freedom and outward exercise of all forms of worship shall be assured to all persons belonging to the Polish State, as well as to foreigners, and no hindrance shall be offered either to the hierarchical organisation of the different communions, or to their relations with their spiritual chiefs.

All religious and cultural minorities in Poland shall be secured in the autonomous management of their religious, educational, charitable, and other cultural institutions, provided always that the Polish language shall be made an obligatory subject of instruction in their schools.

Differences of race or religious creed shall not be alleged against any person as a ground for exclusion or incapacity in matters relating to admission to public employments, functions, and honours, or to public schools, universities, educational endowments, and the exercise of the various professions and industries in any locality whatever.

The subjects and citizens of all the Powers, traders or others, shall be treated in Poland without distinction of creed, on a footing of perfect equality.

23. This formula, as will be seen, differed from the similar provisions in the Treaty of Berlin in two main respects. The first paragraph effectually closed the loophole by which Roumania had evaded the old Treaty, inasmuch as it accorded the nationality of the State to which it was applied to all persons born therein "who do not claim to be subjects of foreign States." It will be remembered that this stipulation was first formulated by the Committee in March, 1914, in connection with the territorial changes arising out of the two Balkan wars. (19) The third paragraph introduced an entirely new principle in the shape of Minority Rights. This was rendered necessary by the heterogeneous character of the populations of almost all the projected new and enlarged States, and the tendency of the dominant races so to apply the doctrine of Equal Rights as

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18. Appendix III., No. 26, pp. 72-76.

19. *Supra*, p. 13.

to turn it into an engine of majority tyranny. Although new in this form, it was not new in the records of the Committee. It was alluded to in the negotiations of 1913-14, and it formed part of a statement of policy drawn up in October, 1918, to serve as a basis for certain negotiations—unhappily abortive—with the Polish National Committee.<sup>(20)</sup> Both these stipulations had received the sanction and approval of the French and American Jewish communities, represented respectively by the Alliance Israélite and the American Jewish Committee. For one defect of the Treaty of Berlin—its failure to devise effective guarantees for the fulfilment of its provisions—the Committee abstained from formulating a remedy of general application. This was partly because it was hoped that such a remedy would be supplied by the Covenant of the League of Nations, and partly because any suggestions of the Committee on this head might have aroused serious and inopportune controversies on the delicate question of sovereign rights. Nevertheless, in the body of its Memorial the Committee asked that, in the case of Roumania at least, no cessions of territory should be sanctioned until the provisions of the Treaties in regard to civil and religious liberty had been completely satisfied. The Memorial also suggested supplementary stipulations to meet the special needs of the Jewish communities in individual States. The most important of these was that the Jews of Poland should be permitted Sunday trading and labour on certain conditions.

24. On December 13, 1918, the Secretary was instructed to proceed to Paris and make the necessary preliminary arrangements for bringing the case of the Jews before the Peace Conference.<sup>(21)</sup> He devoted himself, in the first place, to securing the co-operation of other Jewish bodies represented in Paris. These consisted, at the time, only of the Alliance Israélite and the International Zionist Organisation. At the instance of Mr. Wolf, a conference of these bodies was held on the evening of January 18, 1919. The Alliance Israélite was represented by a specially elected Commission under the chairmanship of M. Eugène Sée, and the Zionist Organisation and the Joint Committee by Mr. Nahum Sokolow and Mr. Lucien Wolf respectively. It was resolved to create a Central Bureau of Delegation Secretaries with certain executive functions, and a deliberative Committee of representatives of the Delegations to which they might adhere as and when they arrived in Paris. Details

20. "Correspondence with H.M. Govt., &c.," *op. cit.*, pp. 49-50. Appendix II., No. 6, p. 60.

21. Appendix III., No. 28, p. 76.

of organisation were postponed, but it was resolved to proceed immediately with any work which the development of events might render urgently necessary. Shortly after this certain Delegations from Eastern Europe began to arrive in Paris. They did not wholly approve of the plans agreed upon, and the result was that much time was lost in sterile discussions relating to precedence and organisation.

25. Meanwhile the Conference itself was rapidly taking shape. At the beginning of February most of the Delegations of the Great Powers and Allied States had arrived, and certain Commissions—prominent among them being the Commission on the League of Nations—were hard at work. Pending the final organisation of the Jewish Delegations, Mr. Wolf, in accordance with his instructions, placed himself in communication with these bodies. The situation at this moment was calculated to give rise to considerable misgiving. Anxious to avoid any discussion or control of the Jewish question by the Peace Conference, the Delegates of the Polish and Roumanian Governments had already given assurances to the Great Powers to the effect that, as a result of certain measures they had in contemplation, the Jewish question in their countries might be regarded as solved. The Roumanian Government had, in addition, issued a so-called Decree Law which had been hastily accepted by His Majesty's Minister in Bucharest as tantamount to a complete emancipation of the local Jews. (22) These proceedings were, however, quite illusory. The Polish promises were neither precise nor binding, while the Roumanian Decree Law did not provide for the emancipation of the Jews, but only enacted a new process of naturalisation hedged in by reserves which rendered it even less liberal than the scheme dictated by the Germans in the Treaty of Bucharest. (23) As the time appointed for the meeting of the Conference approached, a fresh complication arose. It was ascertained that the hopes which the Joint Committee had founded on the League of Nations had already been disappointed, inasmuch as, owing to differences among the Great Powers, it had become necessary to exclude from the Draft Covenant a clause imposing upon all members of the League the practice of civil and religious liberty in the internal administration of their respective countries.

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22. *Times*, Jan. 23, 1919.

23. So obviously unsatisfactory was this law that it had to be withdrawn and another issued in its place in May. This also failed to solve the question and a decree of amendments was formulated. None of these plans really emancipated the Jews. Moreover their legality was questioned by the Law Courts on the ground that they lacked Parliamentary sanction. (Appendix III., Nos. 42, 43, and 47, pp. 97-104.)

26. In these circumstances, it was obviously necessary that formal steps should at once be taken to seize the Conference of the Jewish question. Accordingly, Mr. Wolf asked the Alliance Commission to summon a meeting of the Delegations then in Paris. These, unfortunately, did not include either the Delegates of the American Jewish Committee or those of the Rome Committee. The meeting was held on February 18. The situation was fully discussed, and it was proposed by the French and British Delegates that the Central Bureau, already provisionally approved, should be set to work, and that a suitable Memorial should be at once addressed to the Peace Conference on behalf of the united Delegations. This was opposed by the Zionists and the Eastern European Delegations, partly on the ground that no definite scheme of organisation had been adopted for the Bureau, and partly because a Zionist Conference had been summoned in London, which they were desirous of attending. An understanding was found impossible, and the meeting ended with a statement by M. Eugène Sée that the Alliance Israélite could not take the responsibility of postponing the action that had been proposed. In this the British Delegate concurred *ad referendum*.

27. The Alliance Commission and Mr. Lucien Wolf then proceeded to draft the necessary Memorials to the Peace Conference. Two were adopted. The first embodied the formula already set forth in the Memorial of the Joint Committee of December 2, 1918. To this an important addition was made, at the instance of the Alliance Israélite, with a view to supplying the guarantees which had been omitted from the Covenant of the League of Nations. This addition ran as follows:—

Any persons or communities who may suffer from the non-observance of any provisions of this Article shall have the right to submit their complaints to the Executive Committee of the League of Nations, and to seek the protection of that body.

The Memorial further suggested that the final redaction of the formula should be referred to a special Committee of the Conference to which the Alliance Israélite and the Joint Delegation would be prepared to submit supplementary proposals and such explanations of their case as the Conference might require. The second Memorial dealt exclusively with the question of Roumania, and asked that, in addition to the general formula, that country should be required

to accept a specific stipulation providing for the emancipation of the Jews. (24)

28. On February 20 the two Memorials were approved by the Delegation of the Joint Committee, and Mr. Wolf was authorised by telegraph to join the Alliance Israélite in presenting them to the Conference without delay. (25) They were duly presented on the following day.

29. Together with these Memorials, several elucidatory documents were handed to the Secretariat-General of the Conference on behalf of the Joint Delegation. These comprised, besides the above-mentioned Memorials of October, 1916, and December, 1918, with their annexes, two important volumes compiled by the Secretary, in which the full case for the new formula and the proposals respecting Roumania was set forth. The first was entitled "Notes on the Diplomatic History of the Jewish Question," and consisted of a collection of annotated diplomatic documents ranging from 1814 to 1913, and illustrating the action of the Great Powers in the promotion of civil and religious liberty in States with whose destinies they had from time to time been called upon to deal. It showed that this action had become a fixed tradition of the European Concert and part of the public law of the civilised world. The Joint Delegation are much indebted to the Jewish Historical Society for undertaking the publication of this work. It was widely circulated in Paris, and it exercised an appreciable influence on the decisions of the Peace Conference. (26) The second volume consisted of a copious correspondence on the Roumanian question which had passed between the old Conjoint Committee and His Majesty's Government during the years 1908-1914. (27) Most of the documents contained in it were confidential, and they were printed for the first time with the consent of His Majesty's Government for the information only of the Delegates to the Peace Conference and the Jewish bodies represented in Paris. They constituted a more complete statement of the case for the Roumanian Jews than had previously been published, and they proved extremely useful in the protracted deliberations to which the Roumanian Treaty subsequently gave rise.

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24. Appendix III., Nos. 30 and 31, pp. 77-80.

25. *Ibid.*, No. 29, p. 77.

26. Cf. Letter of M. Clemenceau to M. Paderewski. (Appendix III., No. 36, pp. 83-87.)

27. "Correspondence with H.M. Govt., &c.," *op. cit.*

30. Towards the end of March the Joint Delegation proceeded to Paris and the representation of Jewish interests was materially strengthened by the arrival of Professor Colombo, the Delegate of the Rome Committee, and Mr. Louis Marshall and Dr. Cyrus Adler, representing the American Jewish Committee. These gentlemen, immediately after their arrival, made a strong effort to secure the reunion of all the Jewish Delegations, and at their instance prolonged conferences attended by all the Delegates were held in the Hall of the Jewish Consistory of Paris on the evenings of April 5 and 6. Unfortunately they proved fruitless. The Zionists and the Delegations from Eastern Europe insisted on the presentation to the Peace Conference of a demand for the recognition of the Jews in their respective countries as a separate nationality, and their equipment with political privileges and institutions appropriate to such a status. The Anglo-Jewish Delegates were unable to concur in this proposal, partly because they had already been made aware of the impossibility of obtaining for it the support of the Peace Conference, and the Alliance Israélite also rejected it. An understanding was found impracticable, and thus, for a second time, the effort to secure union failed. This disagreement, however, was not allowed to prejudice the work of the Jewish Delegations. Mr. Marshall became Vice-Chairman, and afterwards Chairman, of a Committee representing all the Eastern European Delegations, and he established, with Mr. Lucien Wolf, the most cordial relations and a complete identity of action in everything touching the treatment of Jewish interests by the Peace Conference. On the question of Jewish nationality each party went its own way, but there was no conflict, for the Joint Delegation limited its action in this respect to the exclusion of the question from its programme.

31. On May 1, the British Delegation informed Mr. Lucien Wolf that the Supreme Council had decided to appoint a Committee on New States which, in accordance with the suggestion contained in the Jewish Memorials of February 21, would deal with the Jewish question in all new and enlarged States. It had already been resolved to propose to these States special Treaties providing for the protection of racial, religious and linguistic minorities, and two Articles had been inserted in the Draft Treaty with Germany pledging Czecho-Slovakia and Poland to sign such Treaties (Arts. 86 and 93). The formula of the Joint Delegation had been accepted as the basis of these Treaties, and Mr. Lucien Wolf and Mr. Louis Marshall had supplied the Peace Conference with much valuable

supplementary material for the final redaction of the stipulations founded on it. This redaction, indeed, owed much to the great experience of Mr. Louis Marshall as a constitutional lawyer, and the Joint Delegation desire to place on record their grateful acknowledgments of the valuable services he rendered in this connection.

32. The first fruit of the labours of the Committee on New States was the Treaty with Poland, which was signed as an annexe of the Treaty of Versailles on June 28. (28) This Treaty is the type of all the Minority Treaties prepared by the Peace Conference. It is peculiarly important, because it deals in effect with a Jewish community of some 3,500,000 souls—the largest Jewish community in Europe—and because, on that account, it is of somewhat wider scope than the other Minority Treaties. (29)

33. On all the main points of the formula contained in the first Jewish Memorial of February 21 the Polish Treaty gives complete satisfaction.

34. The problem of nationality and citizenship is dealt with in Articles 2—7. Some of the stipulations under this head are of general import, arising out of the transfers of territory and allegiance incidental to the restoration of the Polish State. The case of the Jews, however, is fully covered, and it will be no longer possible, as was done by Roumania in 1880, to exclude them from civil rights by declaring them to be *ipso facto* foreigners. Henceforth all persons born or domiciled in Poland must belong to some recognised nationality and enjoy the protection of their States of origin. A category of foreigners without nationality is impossible. Birth in the country is a sufficient title to Polish nationality in such cases, as well as in the cases of the children of Germans, Austrians, Hungarians and Russians domiciled there. Finally, all German, Austrian, Hungarian and Russian nationals, habitually resident in Poland, are given the option of claiming Polish nationality. This latter provision is of great importance in view of the Polish campaign against the so-called Russo-Jewish immigrants.

35. The clauses relating to civil and religious liberty and equality which follow on these definitions of nationality are in substance identical with those contained in the corresponding clauses of the Treaty of Berlin, and call for no remark.

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28. Appendix III., No. 37, pp. 87-91.

29. Arts. 10 and 11 do not appear in the other Treaties. *Infra*, pp. 28 and 29.

36. The Rights of Minorities—racial, religious, and linguistic—are defined in Articles 8-11, and in the second and third paragraphs of Article 7. These contain stipulations for the protection of all the various cultural interests of “Polish Nationals who belong to racial, religious, or linguistic minorities.” The free use of their languages is permitted. They are guaranteed the control on an equal footing with other Polish Nationals of their own charitable, religious, educational and social institutions. The State educational system is to take full account of their needs, and in the State primary schools, attended by “considerable proportions” of their children, instruction may be given through the medium of their own languages. The teaching of Polish may, however, be made obligatory. In this connection the Jewish communities are specifically permitted to appoint Educational Committees to administer the proportional share of public funds allocated to Jewish schools, and to organise and manage such schools subject to the general control of the State. There is also a provision assuring to minorities an equitable share of all public funds voted for educational, religious, or charitable purposes. While religious freedom is fully provided for in the group of Articles dealing with Nationality and Citizenship (Art. 2), a special Article in the group dealing with Minorities guarantees to the Jews the observance of their Sabbath, and its respect by the public authorities. They are exempted from attending Courts of Law or performing any legal business on that day, and it is agreed that no elections shall be held on a Saturday.

37. The guarantees for the execution of the Treaty are set forth in Article 12. Here, for the first time, a plan has been devised by which, without any derogation of sovereign rights, all infractions of the Treaty or differences in the interpretation of its provisions may be effectively dealt with. As has been already shown, the old Treaties provided no reliable guarantees for their fulfilment. The mechanism now agreed upon is based upon the suggestion put forth for the first time in the Memorial addressed to the Peace Conference by the Joint Delegation last February. This was to the effect that the Civil and Religious Liberty stipulations of the Peace Conference should be placed under the protection of the League of Nations. In working out this suggestion the Polish Treaty provides two methods of action. One is by the Council of the League of Nations, and the other is by any single Power who happens to be a Member of the Council. The second method is apparently alternative to the first, which may work with difficulty owing to the necessity of unanimity in the Council.<sup>(30)</sup> In the event

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30. “Covenant of the League of Nations,” Art. 5.

of the second method being invoked, the question at issue becomes at once a juridical one, and is referred for decision to the Permanent Court of International Justice, to be set up by the League. There may be some question as to how far these important guarantees relate to the definitions of nationality and citizenship contained in the earlier Articles of the Treaty, inasmuch as Article 12 itself only relates to stipulations which "affect persons belonging to racial, religious, or linguistic minorities." This, at first sight, would seem to limit the guarantees to Articles 8-11; but this cannot be the case in regard to Jewish rights under the earlier Articles, as any infraction of those rights would obviously come within the definition of the stipulation relating to minorities cited in Article 12. Moreover, a comparison of the provisions of Article 12 with the terms of Articles 13 and 14 of the Covenant of the League of Nations will show that the machinery for dealing automatically and effectively with any violations or misinterpretations of this Treaty is complete.

38. To sum up, the Polish Treaty assures to all Polish Jews the status of Polish Nationals on the same footing as their Christian fellow-countrymen; it assures to them the fullest equality of civil and political rights and opportunities; it gives them complete religious liberty and autonomy; it grants to them the control of their communal institutions and an effective protection of their cultural interests; it guarantees to them a liberal treatment of these interests and all necessary exemptions dictated by them in the general machinery of State administration; and, finally, it affords to these important rights a protection which, so far as written precautions go, should be adequate to assure their permanence.

39. In these respects the Treaty concedes—as has been already stated, and as is shown more particularly by a comparison of the two documents appended to this Report<sup>(31)</sup>—all the points contained in the Joint Delegations' Memorial of February 21. The supplementary proposals contained in the Memorial of December 2, 1918, and more fully set forth in a letter addressed to the Committee on New States on May 14, 1919,<sup>(32)</sup> have been less fortunate. Only one, relating to the free use by the Polish Jews of the languages prevalent among them, has been embodied in the Treaty (Art. 7). The others, with one exception,

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31. Appendix I., No. 1, pp. 37-40.

32. Appendix III., No. 34, pp. 81-82.

are, perhaps, of little importance, and are, besides, covered more or less by legitimate inferences from the general spirit of the Treaty. The exception is the proposal relating to Sunday Trading and Labour. The Joint Delegation attached great importance to this proposal, and urged it upon the Conference with the utmost energy.<sup>(33)</sup> They were, however, unable to carry it, the reason being that the Allied and Associated Powers were reluctant to impose on other States an obligation which is only imperfectly realised in their own domestic legislation.

40. One further feature of the Treaty remains to be noted. It definitely sets its face against the creation or recognition of sub-Nationalities in Poland. All the Minorities are referred to as "Polish Nationals," the term used being analogous to that employed in British Acts of Parliament when Jews are in question, viz., "British subjects professing the Jewish religion." That this was not a mere accident so far as the Jews are concerned is shown by the very emphatic terms in which the question was discussed by M. Clemenceau in a letter addressed by him to M. Paderewski on June 24.<sup>(34)</sup> He pointed out that the Minority clauses "do not constitute any recognition of the Jews as a separate political community within the Polish State," and that "ample safeguards against any use of non-Polish languages to encourage a spirit of national separation have been provided." The Minority privileges are, however, so ample that even among leading Jewish Nationalists this limitation has given rise to but little disappointment. The most influential among them, indeed, profess themselves perfectly satisfied and claim the Treaty as a triumph for their cause.<sup>(35)</sup>

41. A much wider application of the system of Minority Treaties was made under the provisions of the Treaty of Peace with Austria which was signed at St. Germain on September 10. No fewer than four countries were concerned. Articles were inserted in the Treaty pledging the Serb-Croat-Slovene State (Art. 51), Czecho-Slovakia (Art. 57) and Roumania (Art. 60) to sign Minority Treaties and, at the same time, all the main stipulations of these

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33. Appendix III., No. 35, pp. 82-83.

34. *Ibid.*, No. 36, pp. 83-87.

35. Statement of M. Sokolow to Sir Stuart Samuel. Cf. "Bulletin du Comité des Delegations Juives," June 17 and July 20, 1919.

Treaties were imposed on Austria herself (Arts. 62—69). (36) The completion of these transactions was, however, obstructed for a time by the action of Serbia and Roumania, who objected to the Minority Treaties, and hence declined to sign the main Treaty. Only Austria and Czecho-Slovakia acceded to the wishes of the Allied and Associated Powers on the appointed date.

42. All these Treaties (37) contain substantially the same Minority provisions as the Polish Treaty, with the exception that the following Articles, numbered 10 and 11 in the latter instrument, are omitted:—

*Article 10.*

Educational Committees appointed locally by the Jewish communities of Poland will, subject to the general control of the State, provide for the distribution of the proportional share of public funds allocated to Jewish schools in accordance with Article 9, and for the organisation and management of these schools.

The provisions of Article 9 concerning the use of languages in schools shall apply to these schools.

*Article 11.*

Jews shall not be compelled to perform any act which constitutes a violation of their Sabbath, nor shall they be placed under any disability by reason of their refusal to attend courts of law or to perform any legal business on their Sabbath. This provision, however, shall not exempt Jews from such obligations as shall be imposed upon all other Polish citizens for the necessary purposes of military service, national defence, or the preservation of public order.

Poland declares her intention to refrain from ordering or permitting elections, whether general or local, to be held on a Saturday, nor will registration for electoral or other purposes be compelled to be performed on a Saturday.

These Articles were not proposed by the Joint Delegation, and no objection was raised by them to their exclusion. In their attitude towards them the Delegation were impressed by the fact that the circumstances of the Jews in the four countries now under discussion are essentially different from those of their brethren in Poland. The Polish Jews constitute the only very large non-territorial minority in the country, where, moreover, they live for the most part in great compact masses. Hence it was thought right that, in regard to the control of their schools and the observance of their Sabbath, certain special privileges should be conceded to them. In Austria, Czecho-

36. Appendix III., No. 39, pp. 92-94.

37. *Ibid.*, Nos. 39, 40, 41 and 49, pp. 92-108.

Slovakia, Serbia and Roumania, however, the situation of the Jews is quite different. In all these countries they are only one of several racial and religious minorities, and they do not as a rule live in masses of exceptional density and magnitude. To confer on them special privileges would therefore have been not only unfair but dangerous, seeing that it would have excited against them the jealousy of all the other minorities. Moreover, the Joint Delegation felt that the educational privilege sought to be conferred by Article 10 was scarcely necessary in view of the terms of the preceding Article, which secures special State schools to all Minorities together with a fair share of all public funds provided for educational purposes. As for the Article dealing with the observance of the Sabbath, the Joint Delegation attached little importance to it, for three reasons. In the first place, there is no evidence that any serious obstacle is placed in the way of the observance of the Jewish Sabbath in any of the countries under discussion. In the second place, if such obstacles were created, there would be ample ground for an appeal to the Tribunal of the League of Nations under the provisions of Articles 2 and 7 of the Treaties, which provide for the fullest religious toleration. In the third place, the Article, as it stands, is only the truncated remains of an Article of much wider scope proposed by the Joint Delegation with a view to securing to the large Jewish communities of Eastern Europe the right of Sunday trading and labour. In this connection also the relatively smaller number of Jews, and their distribution in the countries dealt with in the Austrian Treaty, had to be taken into account. Thus, for example, the privilege relating to elections granted to the Jews under the Polish Treaty could not easily be defended in countries where Jews are not the only religious Minority with a Sabbath of their own, and where their proportion to the Christian population is much less considerable. For these reasons the Joint Delegation are of opinion that the omission of these Articles from the non-Polish Treaties does not diminish in any material degree the value of the Minority privileges conferred by them.

43. The exception taken to the Minority Treaties by Serbia and Roumania gave rise to protracted discussions, which, in the case of Roumania, led to considerable diplomatic tension, and it was not until early in December that these two States agreed to sign the Treaty of St. Germain and to accept the annexed Conventions. The discussions with Serbia related to questions which do not directly involve Jewish interests, and the Jews were the less concerned in

them because Serbia had always loyally fulfilled her obligations to religious Minorities under the Treaty of Berlin. It is to be noted, however, that one of these questions was the application of the Treaty to territories annexed during the Balkan War of 1913. Serbia contended that it could only be applied to the accessions of territory accruing to her under the Treaty of St. Germain. The Powers, however, adhered to the assurances on this subject given to the Conjoint Committee by Sir Edward Grey in October, 1913, and July, 1914.

44. The Roumanian Minority Treaty, in spite of the tenacious opposition offered to it in Bucharest, emerged from the Peace Conference in a completely satisfactory shape.<sup>(38)</sup> Every point laid down in the two Memorials of the Joint Delegation of February 21 was gained in a form which, for precision and comprehensiveness, leaves nothing to be desired. The Nationality clauses are identical with those in the other Treaties, with the important difference that they apply not merely to the new territories annexed under the Treaty of St. Germain and under the Treaty of Bucharest of 1913, and to any other extensions of territory "which may hereafter be made"—by which Bessarabia is more particularly meant—but also to the whole of Old Roumania, where the Jews have hitherto been denied the elementary status of Nationals. All Jews "habitually resident" in the country at the time of the signing of the Treaty become *ipso facto*, and without the requirement of any formality, full Roumanian citizens. This gets rid of the vexed questions of birth certificates, descent, and foreign consular protection by which, up to the last moment, the intransigents of Bucharest hoped to evade the injunctions of the Peace Conference. The manœuvre by which Article XLIV. of the Treaty of Berlin was successfully eluded is now rendered impossible by an Article—common to all the Treaties—which declares that "all persons born in Roumanian territory who are not born nationals of another State shall *ipso facto* become Roumanian nationals." The Minority clauses are the same as in all the non-Polish Treaties, but without any restriction as to their territorial application; and the guarantee of the League of Nations—peculiarly necessary in the case of Roumania—is also the same as in all the other Minority Treaties. One important addition has, however, been made to the Roumanian Treaty. It will be remembered that in their second Memorial of February 21 the Joint

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38. Appendix III., No. 49, pp. 105-108.

Delegation and the Alliance Israélite asked that, in order to avoid all possible misunderstandings in the future, Roumania should be required to accept, in addition to the other Minority clauses, an Article specifically recognising all Jews in the country, who are not nationals of another State, to be full nationals and citizens of Roumania.<sup>(39)</sup> This request has been granted, and a stipulation to that effect, clear and unambiguous, has been made the subject of a new Article (Art. 7), appended to the other Nationality clauses of the Treaty.

45. One further Minority Treaty has been drafted by the Peace Conference, but has not yet been signed, as it will probably be annexed to the Treaty of Peace with Turkey. The High Contracting Party in this case is Greece, and the Treaty possesses some importance because it affects one of the largest and most interesting Jewish communities in Europe—viz., that of Salonika. The fate of the Treaty, which is in common form, is, however, not in doubt. M. Venizelos, the sagacious Hellenic Prime Minister, faithful to the best traditions of his country, is in complete sympathy with the system of Minority guarantees, and he has expressed his readiness to sign the Treaty. He has done more. He has been good enough to give the Joint Delegation written assurances which, apart from the Treaty, guarantee to the Jews of Salonika an important immunity relating to Sabbath observance, together with the right of Sunday trading and labour.<sup>(40)</sup> For this liberal concession, which places Greece ahead of all the States in Eastern Europe as a protagonist of Minority Rights, the Jews are deeply indebted to M. Venizelos.

46. Minority stipulations identical with those inserted in the Treaty of St. Germain have also been reproduced in the Treaty of Peace with Bulgaria (Arts. 49-57), which was signed at Neuilly on November 27.<sup>(41)</sup> The same course will be adopted with the Statute for Eastern Galicia, with the Hungarian Treaty, and no doubt also with the Turkish Treaty and the Mandates under which various portions of the former Ottoman Empire will be confided to the administration of the Great Powers.

47. The application of this system to the States, other than Poland, which are struggling for independence within the limits of

39. Appendix III., No. 31, pp. 79-80.

40. *Ibid.*, Nos. 51-54, pp. 108-110.

41. *Ibid.*, No. 50, p. 108.

the former Russian Empire, has for the moment been rendered impossible by the civil war in that country, and the consequent uncertainty of the whole Russian political outlook. Nevertheless, in view of the recognition of the independence of Finland by the Allied and Associated Powers, the Joint Delegation made an effort to prevail upon the Peace Conference to propose a Minority Treaty to the Government of that country.<sup>(42)</sup> This was all the more necessary because the legal situation of the Jews in Finland still leaves much to be desired. The representations of the Joint Delegation were not successful, the reason being that the Finnish question did not arise in connection with the Treaties of Peace. Something may be done later on when the Russian question is settled and the frontiers of Finland are decided upon. The interest of the Great Powers has meanwhile been sufficiently indicated by the correspondence which passed between them and Admiral Koltchak in May and June, 1919, relative to the conditions on which they would extend their support to Admiral Koltchak's Government. <sup>(43)</sup>

48. With regard to the other Russian States which are now claiming a separate political existence, such as Estonia, Latvia, Lithuania, the Ukraine, and the Caucasus, the Joint Delegation have nothing to report. The whole outlook for Minority Rights in Russia is, in short, extremely obscure. For the moment the Jewish community must be satisfied with the public assurances given by Admiral Koltchak and his colleagues that the future Government of Russia will be based on the liberal principles of the first Revolutionary Government of 1917, and that in particular all the pledges and decrees of that Government—which include the decree emancipating the Jews—will be accepted. Admiral Koltchak also holds out some hope that on the question of the Borderland nationalities his Government may be disposed to accept the good offices of the League of Nations. In that event it may yet be possible to secure a *régime* of Minority Rights in that region where, owing to the extreme heterogeneity of the population, such a *régime* is required as an essential condition of social peace. On all questions touching the future of the Jews in Russia the Joint Delegation lost no opportunity, while in Paris, of pressing their views on public men and representative bodies whose sympathy might be useful. The reception of these representations by the heads of the Russian and Ukrainian Delegations was always encouraging.

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42. Appendix III., No. 55, pp. 110-111.

43. *Ibid.*, No. 57, pp. 111-112.

49. Besides watching the Minority Treaties and contributing to their redaction and negotiation, within the measure of their resources and opportunities, the Joint Delegation have performed a great deal of miscellaneous work. Much of it belonged to the normal preoccupations of the Joint Committee, whose activities became necessarily transferred to Paris during the nine months' stay of the Secretary in that city. Two branches were, however, closely concerned with the labours of the Peace Conference. One related to the Palestine question. While recognising the preferential claim of the Zionist Organisation to be heard on this important question, the Delegation did not abdicate the right of the Anglo-Jewish community as a whole to place its views before the Peace Conference. Acting under their direction, Mr. Lucien Wolf presented to the Conference on April 14, 1919, the "Statement of Policy on the Palestine Question" adopted by the Board of Deputies and the Council of the Anglo-Jewish Association on March 23 and 30 respectively. (44) The Delegation have also been happy to act on behalf of the English Zionist Federation in transmitting to the Conference (July 3) an important petition on the same question signed by 77,039 Jews of the United Kingdom. (45) The consideration of these documents has been postponed until the Treaty with Turkey and the annexed Mandates come up for settlement. Meanwhile they have been duly acknowledged by the Secretariat-General of the Conference, and the Zionist Petition elicited from Mr. Balfour a warm letter of personal sympathy addressed to Mr. Wolf. (46)

50. The other branch of the miscellaneous work was concerned with the pogroms reported from Eastern Europe in the early days of the Conference. These deplorable occurrences engaged the most anxious attention of the Joint Delegation. At every stage the promptest steps were taken to bring the appeals of the suffering Jews to the notice of the Peace Conference and of the representatives of the Polish, Ukrainian and Czechoslovak Governments. After the military excesses reported from Pinsk and Wilna, Mr. Lucien Wolf and Mr. Louis Marshall strongly urged upon the British and United States Delegations respectively to take measures for the protection of the Polish Jews, and instructions were promptly sent to the British and American Ministers in Warsaw to act in the sense suggested by the Jewish Delegates. Similar appeals addressed

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44. Appendix III., No. 58, pp. 112-113.

45. *Ibid.*, No. 61, pp. 114-115.

46. *Ibid.*, No. 62, p. 115.

to M. Paderewski and M. Syderenko, the Chiefs of the Polish and Ukrainian Missions, met with a sympathetic response. Later on, when the American and British Commissions of Enquiry under Mr. Morgenthau and Sir Stuart Samuel were despatched to Poland, the Joint Delegation placed at their disposal much valuable information, and were otherwise privileged to contribute to the exhaustiveness of their investigations. The labours of these Commissions are likely to prove of great value in the reconstruction of Jewish life in Poland on the basis of the Minority Treaties, and hence they must be regarded as forming an integral part of the great work of the Peace Conference on the Jewish Question.

51. In closing this Report, the Joint Delegation are happy to be able to congratulate the Anglo-Jewish Community on having taken the initiative in a work which they are persuaded will rank high not only in Jewish history but in the history of Europe. For the Minority Treaties are far more than a Charter of Jewish liberties. In framing the formula on which they are based, the Joint Foreign Committee asked for no privileges for their own brethren, but sought to obtain for them the rights of free citizens as part of a new reign of Liberty and Justice in Eastern Europe, in which all their compatriots, of whatever race or creed, might equally participate. The result is that, together with the emancipation of the Jews, the whole level of the political and moral life of that vast region will now be sensibly raised. Through the accidents of an intensely chequered history, these countries have hitherto been vowed to inter-racial strife and religious intolerance, and the resultant political instability has shaken Europe to its foundations. To inaugurate an era of conciliation in these lands, and to found it on a wide conception of political liberty and social justice, was obviously the first task of any plan of European reconstruction which aimed at establishing the peace of the world on a sure foundation. That task has been accomplished—so far as written pledges can accomplish anything—by the Minority Treaties. The promise of these great compacts remains to be fulfilled. It is too much to hope that the passions which rendered them necessary will disappear in a moment. But the beginning has been made, and, under the watchful care of the League of Nations and the tactful and sympathetic discipline of its International Tribunal of Justice, we may yet see the variegated races and creeds of these sorely tried countries rebuilding their national lives in a spirit of concord, mutual respect, and a common patriotism. To this work, we do not doubt, our own

Jewish brethren will bring their full share of patience and tolerance, and will hasten by their public spirit to justify their enjoyment of the political and civil rights which have now happily been conferred upon them.

52. It only remains to place on record the great debt of gratitude which the Jewish communities owe to the Peace Conference, and more especially to the Delegations of Great Britain and the United States, for the readiness and sympathy with which they dealt with all the Jewish aspects of the Minority Treaties. The Committee on New States appointed by the Conference brought to this work an understanding, a zeal, and a thoroughness which can never be too thankfully recognised. In this connection the Joint Delegation desire especially to acknowledge the many courtesies and the substantial help they received from Mr. Balfour, Lord Milner and Sir William Tyrrell; from the Hon. F. Polk, Chief of the United States Delegation; from Lord Robert Cecil, Chairman of the League of Nations Commission; Mr. J. W. Headlam-Morley, British Delegate on the Committee on New States; Mr. E. H. Carr, Secretary and afterwards British Delegate on the same Committee; Mr. Alan Leeper, British Delegate on the Roumanian Committee; Mr. Hurst, K.C., British Member of the Drafting Committee; and Sir George Riddell, Chief of the Press Section of the British Delegation. The labours of the Joint Delegation were also much lightened by the wise and active collaboration of many Jewish workers. The services of Mr. Louis Marshall and Dr. Cyrus Adler have already been referred to. Unfortunately, they were compelled to return to America after the signing of the Polish Treaty, but the work they performed in connection with that instrument created precedents which influenced the whole course of the subsequent strenuous negotiations. To Baron Edmond de Rothschild and the leading members of the Alliance Israélite—M. Eugène Sée, President of the Franco-Jewish Peace Commission, the Grand Rabbin de France, M. Israel Lévi, M. Salomon Reinach, M. Sylvain Lévi, and M. Bigart, the Secretary of the Alliance—the Delegation are especially indebted. Every phase of the work of the Delegation was, indeed, fully shared by their French colleagues, who added to their precious co-operation a charming and delicate hospitality. The Delegation also received much expert assistance from some of the Eastern European Delegations, notably those representing the Roumanian, Czecho-Slovak,

Eastern Galician, and Orthodox Polish Jewish Communities. Finally, on the Russian question, the advice and help of M. Vinaver and Baron Alexandre de Günzburg proved invaluable.

STUART M. SAMUEL,

CLAUDE G. MONTEFIORE,

H. S. Q. HENRIQUES,

JOSEPH PRAG,

LUCIEN WOLF, Secretary.

London, January 1, 1920.

## APPENDIX I.

### COMPARISON OF THE JOINT DELEGATION'S FORMULA AND THE MINORITY TREATIES.

#### NO. 1.

In the following parallel columns the provisions of the Formula of Emancipation presented to the Peace Conference by the Delegation of the Jews of the British Empire on February 21st, 1919, are set forth side by side with the corresponding Articles of the Polish Minority Treaty, in which those provisions are worked out in detail. These Articles are reproduced *mutatis mutandis* in all the other Minority Treaties. It will thus be seen that in substance the whole of the Jewish Formula, with the exception of one paragraph, which is reserved for treatment in special commercial Treaties, was adopted by the Peace Conference, and, indeed, much strengthened in the process:—

#### *The Jewish Formula.*

1. All persons born in the territories forming the Kingdom (or Republic) of , who do not claim to be subjects of Foreign States, and all subjects of the States to which those territories formerly belonged, who are permanently domiciled in those territories, and who do not desire to retain their present nationality, shall be deemed to be citizens of the State,

#### *The Polish Treaty.*

**ARTICLE 3.**  
Poland admits and declares to be Polish nationals *ipso facto*, and without the requirement of any formality, German, Austrian, Hungarian, or Russian nationals habitually resident at the date of the coming into force of the present Treaty in territory which is or may be recognised as forming part of Poland. . . . Nevertheless, the persons referred to above who are over eighteen years of age will be entitled to opt for any other nationality which may be open to them.

#### **ARTICLE 4.**

Poland admits and declares to be Polish nationals *ipso facto*, and without the requirement of any formality, persons of German, Austrian, Hungarian, or Russian nationality who were born in the said territory of parents habitually resident there, even if at the date of the coming into force of the present Treaty they are not themselves habitually resident there.

*The Jewish Formula.*

and shall enjoy equal political and civil rights, without distinction of race, language or religion.

The freedom and outward exercise of all forms of worship shall be assured to all persons belonging to the State, as well as to foreigners, and no hindrance shall be offered either to the hierarchical organisation of the different communions or to their relations with their spiritual chiefs.

All religious and cultural minorities in shall be secured, on a footing of equality, in the autonomous management of their religious, educational, charitable, and other cultural institutions, provided always that the language shall be made an obligatory subject of instruction in their schools.

*The Polish Treaty.*

Nevertheless, within two years after the coming into force of the present Treaty, these persons may make a declaration before the competent Polish authorities in the country in which they are resident, stating that they abandon Polish nationality, and they will then cease to be considered as Polish nationals.

**ARTICLE 6.**

All persons born in Polish territory who are not born nationals of another State shall *ipso facto* become Polish nationals.

**ARTICLE 7.**

All Polish nationals shall be equal before the law, and shall enjoy the same civil and political rights without distinction as to race, language or religion.

**ARTICLE 2.**

Poland undertakes to assure full and complete protection of life and liberty to all inhabitants of Poland without distinction of birth, nationality, language, race, or religion.

All inhabitants of Poland shall be entitled to the free exercise, whether public or private, of any creed, religion, or belief, whose practices are not inconsistent with public order or public morals.

**ARTICLE 8.**

Polish nationals who belong to racial, religious, or linguistic minorities shall enjoy the same treatment and security in law and in fact as the other Polish nationals. In particular they shall have an equal right to establish, manage, and control at their own expense charitable, religious and social institutions, schools, and other educational establishments, with the right to use their own language and to exercise their religion freely therein.

COMPARISON OF THE JOINT DELEGATION'S FORMULA AND THE MINORITY TREATIES—  
*continued.*

### *The Jewish Formula.*

### *The Polish Treaty.*

## ARTICLE 9.

Poland will provide in the public educational system in towns and districts in which a considerable proportion of Polish nationals of other than Polish speech are residents adequate facilities for ensuring that in the primary schools the instruction shall be given to the children of such Polish nationals through the medium of their own language. This provision shall not prevent the Polish Government from making the teaching of the Polish language obligatory in the said schools.

In towns and districts where there is a considerable proportion of Polish nationals belonging to racial, religious, or linguistic minorities, these minorities shall be assured an equitable share in the enjoyment and application of the sums which may be provided out of public funds under the State, municipal, or other budget, for educational, religious, or charitable purposes.

## ARTICLE 7.

... Differences of religion, creed, or confession shall not prejudice any Polish national in matters relating to the enjoyment of civil or political rights, as, for instance, admission to public employments, functions, and honours, or the exercise of professions and industries.

Differences of race or religious creed shall not be alleged against any person as a ground for exclusion or incapacity in matters relating to admission to public employments, functions, and honours, or to public schools, universities, and educational endowments, and the exercise of the various professions and industries in any locality whatever.

The subjects and citizens of all the Powers, traders or others, shall be treated in without distinction of creed, race, or language, on a footing of perfect equality.

[This is reserved for treatment in special commercial Treaties.]

## ARTICLE 12.

Poland agrees that the stipulations in the foregoing Articles, so far as they affect persons belonging to racial, religious, or linguistic minorities, constitute obligations of international con-

Any persons or communities who may suffer from the non-observance of any provisions of this Article shall have the right to submit their complaints to the Executive Committee of the League

*The Jewish Formula.*

of Nations, and to seek the protection of that body.

*The Polish Treaty.*

cern, and shall be placed under the guarantee of the League of Nations. They shall not be modified without the assent of a majority of the Council of the League of Nations. The United States, the British Empire, France, Italy, and Japan hereby agree not to withhold their assent from any modification in these Articles which is in due form assented to by a majority of the Council of the League of Nations.

Poland agrees that any member of the Council of the League of Nations shall have the right to bring to the attention of the Council any infraction, or any danger of infraction, of any of these obligations, and that the Council may thereupon take such action and give such direction as it may deem proper and effective in the circumstances.

Poland further agrees that any difference of opinion as to questions of law or fact arising out of these Articles between the Polish Government and any one of the Principal Allied and Associated Powers or any other Power, a member of the Council of the League of Nations, shall be held to be a dispute of an International character under Article 14 of the Covenant of the League of Nations. The Polish Government hereby consents that any such dispute shall, if the other party thereto demands, be referred to the Permanent Court of International Justice. The decision of the Permanent Court shall be final, and shall have the same force and effect as an award under Article 13 of the Covenant.

All Jews born or residing on Roumanian territory, except those who, inscribed on the registers of foreign Consulates, belong to a foreign nationality, are declared to be Roumanian citizens. The proof of foreign nationality shall rest with the Roumanian Government.

*The Roumanian Treaty.*

ARTICLE 7.

Roumania undertakes to recognise as Roumanian nationals *ipso facto* and without the requirement of any formality Jews inhabiting any Roumanian territory who do not possess another nationality.

## APPENDIX II.

### DOCUMENTS RELATING TO THE WAR PERIOD.

#### (a) THE JEWISH QUESTION IN 1916.

**No. 2.**

*(Memorandum presented to the Foreign Office by Mr. Lucien Wolf, June, 15, 1916.)*

It may be frankly stated that the Jewish Question is as embarrassing for the Governments of the Allies as it is for all the Jewish communities of Allied nationality. It has aroused a great deal of ill-will against the Allies in all neutral countries, more especially in America, where the Jews number about 3,000,000, and it imposes on the Jews of Allied nationality a silence which cannot but be painful for them. These embarrassments will, however, become more serious when the time arrives for negotiating Peace, and it is consequently desirable that this aspect of the question should be studied as early as possible. Mr. Lucien Wolf, therefore, begs to submit the following observations:—

The Jews of neutral countries, impressed by the idea that the main task of a Peace Congress will be to make all things new in Europe on a basis of international, national, and social justice, look to the Congress to secure complete emancipation for the 7,000,000 Jews of Russia, besides the redress of the grievances of their co-religionists in Roumania and other countries where they are persecuted, and the satisfaction of certain aspirations in Palestine. They do not seem to have gone deeply into the question of ways and means, or to have studied very closely the political exigencies and diplomatic tactics by which the course of the Peace negotiations will be governed; but their view is none the less very strongly held, and it has behind it a large body of non-Jewish sympathy. In the belligerent countries, where national interests predominate over all sectional interests, the Jews have a more sober outlook. Those of Great Britain and France see quite clearly that, assuming that the Peace negotiations take place on the basis of a decisive triumph for the Allies, it will not be possible for their Governments to initiate or to countenance any such proposals as are favoured in neutral countries, seeing that, as matters stand at present, they are likely to prove extremely disagreeable to their Russian Ally. Much may be done by the Congress, and, no doubt, will be done, to secure to Jews and other minorities in transferred territories the rights they now enjoy under the German and Austrian Constitutions, and in this way, perhaps, the cause of Jewish emancipation in Russia and Poland may be indirectly served; but a Peace Congress at which the Allies will dictate terms of peace to the Central Powers cannot at the same time dictate to Russia—one of the victorious Powers—changes in her internal administration, in derogation of her sovereign freedom, which would only be justified if she were one of the vanquished.

The raising of the question, however, will not depend wholly on the discretion of the victorious Allies. In the measure that it is embarrassing for them it will afford an opportunity for the enemy. We may be certain that, if they are not forestalled, the Central Powers will make the fullest use of it, not only in order to establish a claim on the sympathies of neutral States and on humanitarian

sentiment generally, but also on the chance of creating discord among the Allies themselves.

There are several forms in which the question may be raised, all of them equally awkward for the Allies. Three may be indicated:—

1. The Central Powers may claim that the privileges conferred by them on the Jews in the Western provinces of Russia during the period of their occupation shall be maintained.

2. They may claim that the Polish Question shall be treated as an International and not a Russian Question, and that the creation of an autonomous Poland shall be subject to conditions of liberal government laid down by the Great Powers.

3. They may deal with the question rhetorically, on the ground of their alleged solicitude for oppressed nationalities.

The first form will be embarrassing because, if Sir Edward Grey follows his own precedent in regard to the transfers of territory after the Balkan Wars, and insists on the rights of minorities in transferred Prussian and Austrian Poland, he cannot easily resist the extension of this stipulation to all the territories which the Central Powers will claim to have liberated. Moreover, it must be remembered that even the Congress of Vienna, in spite of its reactionary bias, made analogous stipulations in regard to the restored German States which had previously been conquered by Napoleon. (German Federative Act, Art. XVI., "State Papers," Vol. II., pp. 132-133.)

The second form will be embarrassing because it is undeniable that the Polish Question was regarded as international in 1815, when the Vienna Congress created the so-called "Congress Kingdom." It was also so treated by Great Britain and France in 1831, 1855, and 1863, and in this connection it is important to bear in mind that the German and Austrian Governments have in their possession the British confidential despatches on this subject (Filipowicz: "Confidential Correspondence," Paris, 1914). The claim to treat the question as one for the Great Powers would furthermore be welcomed by the Poles themselves, and by their sympathisers all over the world.

The third form would make an irresistible appeal to British and French traditions, as embodied in all the great diplomatic documents, from the time of the liberation of Greece down to the Congress of Berlin. French public opinion especially would be very sensitive to it, and we need only read the French newspapers to-day to see how formidable would be the difficulties created for the French Government.

But, whatever the form in which the question might be raised by the enemy, it would create perplexities for the Allies, if only because of the support it would receive from the United States and probably other neutral nations. Nor would this support be merely moral and unofficial. The trend of American opinion is very significantly shown by the Joint Resolution of Congress embodying a scheme of a Peace Treaty to be proposed by a Congress of Neutral Nations, which was recently referred to the House Committee on Foreign Affairs. In any case we may be sure that the United States Government would follow the precedent it created for itself at the Conference of Bucharest in 1913, with the result that the Central Powers would speak and act with American sympathy and support.

The Jewish Conjoint Committee have not yet fully considered their attitude in regard to the Peace Congress, but Mr. Lucien Wolf is confident that the first wish of the Committee would be to assist His Majesty's Government to the utmost of their power. The Committee could not, of course, range themselves against the cause of their oppressed and persecuted co-religionists, any more than they

could, or would wish to, place themselves in opposition to His Majesty's Government. It is, therefore, suggested by Mr. Wolf that the whole question may be confidentially discussed by the Foreign Office and the Committee, with a view to reaching a solution which would be equally satisfactory to the interests of the Allied Governments and those of the oppressed Jewish communities.

London, June 14, 1916.

**NO. 3.**

(*From Sir Maurice de Bunsen to Mr. Lucien Wolf.*)

Foreign Office  
June 23rd, 1916.

Sir,

I am directed by Secretary Sir Edward Grey to acknowledge the receipt of your letter to Mr. Oliphant of the 15th instant, relative to the form in which the Jewish question may be raised at the eventual Peace Conference, and to state that the Secretary of State has given his careful attention to the points raised in your memorandum.

Sir Edward Grey considers that it would be useful if he could first be furnished with the considered views of the Jewish Conjoint Committee on this important and complicated problem, and I am to state that a further communication will be addressed to you when these views have been received and studied.

In regard to your desire to see certain public papers bearing on the question, I am to state that the documents to which you refer are now in the Public Record Office, but that Sir Edward Grey will be happy to furnish you with a permit to see these papers subject to the usual condition that any notes which you may take are submitted to this Department before publication.

I am, Sir,

Your most obedient humble servant,

MAURICE DE BUNSEN.

Lucien Wolf, Esquire,  
2, Verulam Buildings,  
Gray's Inn, W.C.

**NO. 4.**

(*From the Conjoint Committee to the Right Honble. Viscount Grey, K.G., etc.*)

London, October 1, 1916.

My Lord,—

On June 23 last, in reply to a Memorandum forwarded to the Foreign Office by Mr. Lucien Wolf, we had the honour of receiving from Sir Maurice de Bunsen an intimation of your Lordship's desire to be furnished with the "considered views" of this Committee on the solutions to be given to certain Jewish questions likely to arise out of the War, and referred to in that document (Ref. No. 116062/W.). As was anticipated in our letter of June 29,\* some delay has been occasioned in the preparation of our reply by the necessity of securing the assent of the Jewish communities of Allied countries—more particularly that of Petrograd—and we trust that your Lordship will realise that this delay was unavoidable. The necessary assent of our Russian, French, and Italian co-reli-

\* Not printed.

gionists has now been obtained, and we are accordingly authorised by the Conjoint Committee to submit the following statement for your Lordship's consideration.

In the above-mentioned Memorandum, which has been approved and adopted by the Committee, it was respectfully argued that in their own interests, as well as in those of the Jewish communities affected, the Allied Governments should be prepared with agreed solutions of the Jewish questions before the opening of Peace negotiations. To that argument we have nothing to add at present, and, so far as it is concerned, we content ourselves with annexing to the present letter a carefully revised text of the Memorandum.\*

The solutions we have to submit to your Lordship have been considered under four main heads. They relate to:—

1. The condition of the Jews of Russia.
2. The unfulfilled Treaty obligations of Roumania in regard to her Jewish population.
3. The rights of the Jews in German, Austro-Hungarian, Turkish, and Bulgarian territories which may be annexed to Russia and Roumania respectively.
4. The future of the Jews of Palestine.

The most important of these questions is that of the Jews in Russia.

In view of its intrinsic magnitude and of the extreme delicacy of the problem of initiating diplomatic negotiations in regard to it, the Conjoint Committee have considered very carefully and anxiously whether it would be possible for them to suggest a partial solution which might be calculated to overcome these difficulties. They regret that, as at present advised, they find themselves unable to do so. For the sake of the high political interests involved, they will be prepared to examine with the utmost goodwill any scheme of gradual concessions the Russian Government may be disposed to grant; but they are as yet unable to see that anything short of the total abolition of the existing disabilities, and the placing of the Jews on the same political and civil level as their Christian fellow-countrymen at the earliest possible moment, will meet the urgent necessities of the case, in regard either to the deplorable condition of the Jews themselves or the satisfaction of public opinion in neutral countries and of humanitarian expectations throughout the world.

We need not dwell at length on the urgency of the needs of the Jews and the imperative necessity of giving the widest possible scope to any reforms that may be contemplated on their behalf. The facts are, unhappily, of public notoriety, and they have, moreover, been the subject of many communications addressed to His Majesty's Government by the Conjoint Committee during the last few years. It will suffice here to say that some seven million Jews are subjected to a legalised oppression and a capricious administrative persecution solely on account of their religion, which not only hampers them severely in their social and economic activities, but also causes them personal and domestic sufferings, which in any less virile race would long ago have resulted in irremediable demoralisation. Piece-meal reforms can help them but little, since they cannot relieve them of the undeserved stigma of ostracism, which is the main source of their persecution. Moreover, such reforms tend to complicate their legal position, and thus frequently end in multiplying their embarrassments, while they give to the whole country an impression of half-heartedness on the part of the authorities which encourages the anti-Semitic bureaucracy to ignore them, and leaves the anti-Semitic propaganda

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\* *Supra*, No. 2.

unrestrained. This has been the experience of the Jews quite recently in connection with the temporary modification of the restrictions of domicile and education granted to them by the Russian Government on September 3, 1915. These concessions are already the subject of much juridical controversy, and, although they do not very materially help the Jews, they have only been partially accepted and enforced by the Provincial Governors. The illusory nature of these concessions was the subject of a Memorandum handed by this Committee to the Foreign Office on September 22, 1915. In case your Lordship should wish to reacquaint yourself with the Russo-Jewish Question in its wider aspects, we beg to annex to this letter an authoritative pamphlet ("The Legal Sufferings of the Jews in Russia," London, 1912), prepared for the Conjoint Committee by a Russian jurist, and provided with an introductory essay by Professor A. V. Dicey, in which the facts are luminously analysed. (See Enclosure III.)

With regard to the satisfaction to be given to public opinion in neutral countries, and to the liberal sentiments and traditions of the Western Allies themselves, we would point out that the Russo-Jewish Question, as it presents itself to-day, is even more serious than we have described it in the preceding paragraph. It is no longer a question whether the normal disabilities of the Russian Jews shall be maintained, or modified, or abolished, but actually whether they shall, or shall not, be reimposed, after having been abolished in effect by the common enemy. For it is a fact that, in the administration of the Russian provinces occupied by the enemy, which comprise the larger part of the Pale of Jewish Settlement, both the German and Austro-Hungarian authorities have refused to make any discrimination between the native Jews and Christians. The Austrians have, indeed, in this respect specifically disregarded the letter of Article XLIII. of the Hague Convention, relative to the Laws and Customs of War on Land, on the ground that the obligation therein imposed on an invader to respect the laws of an occupied country was intended to benefit, and not to oppress, the local population. (See *Russkaya Vyedomosti*, July 9, 1915; *Dyen*, March 21, 1916; *Evreiskaya Isbn*, June 5, 1916; O.S.) The embarrassing use that may be made of this fact by the enemy Powers in the Peace negotiations has already been indicated in our Memorandum of June 14, and we refer to it now in order to justify our view that the only solution which will meet the bare necessities of the case, on the diplomatic as well as on the Jewish side, is complete emancipation. Any other, in the circumstances above cited, will certainly prejudice the Allies in the good opinion of the world, and will engender doubts as to their liberty-loving motives in waging the war, seeing that it will render them liable to the reproach that, in spite of their protests against Germanic arrogance and oppression, they are not indisposed to tolerate an even worse oppression among themselves. It will also render very difficult the justification of any stipulations that may be proposed for the retrocession of the Polish provinces of Prussia and Austria-Hungary to Russia, whatever the pledges the latter Power may give in regard to the liberties now enjoyed by those provinces. In the light of the treatment of the Russian Jews, apprehensions will not unreasonably be aroused as to the ultimate fate of their co-religionists in the annexed provinces, and in the matter of pledges unpleasant memories of the Polish Question in 1831, and of the severe judgment passed on the action of Russia on that occasion by Great Britain and France, will inevitably be revived (see diplomatic correspondence in *Moniteur*, March 16, 1863). Thus much of the moral gain otherwise attaching to our victory over the Central Powers would be lost.

We would further urge that the Jews themselves have well deserved their emancipation by their patriotic conduct during the War, and by the exceptional sufferings and sacrifices imposed upon them by the course of hostilities. Their Pale of Settlement has been one of the most hotly contested and most cruelly

ravaged of the theatres of the War, and their sufferings have been indescribable. Their fidelity to Russia, notwithstanding the disabilities under which they labour and the alluring pretensions of the enemy to effect their liberation, has not been inferior to that of any section of the Christian population. Over 400,000 of their sons—volunteers as well as conscripts—have fought in the Russian armies, and that with a gallantry which is sufficiently attested by the long list of Jewish names figuring in the catalogue of Crosses of St. George and other military decorations awarded for valour in the field.

These, in broad outline, are the reasons of the Conjoint Committee for thinking that the solution to be given to the Russo-Jewish question, in the terms of their Memorandum of June 14, can only take the form of the complete emancipation of the Russian Jews. If your Lordship should consider it necessary, we will deal in a later note with subsidiary aspects of this problem, such as, for example, the reasons alleged by the Russian Government for imposing disabilities on Jews, the attitude of the Russian people in regard to them, and the economic advantage to be derived, not only by Russia, but also by her Allies, from emancipation. With regard to the details of any emancipation scheme that may be resolved upon, we will only now point out that, in our opinion, it should apply to all the dominions of his Majesty the Tsar, and that, in the event of autonomy being granted to the Polish provinces, it will be essential that the equal rights of the Jewish population shall form an integral part of the Constitution in which such autonomy may be embodied.

We pass to the Roumanian question.

Here, again, it is unnecessary for us to trouble your Lordship with any lengthy exposition of the question. It has been treated very fully in the large correspondence which has passed between the Foreign Office and this Committee during the last thirty years, more especially in a Memorandum which we had the honour of addressing to your Lordship on behalf of the Committee in November, 1908. (See Enclosure I.) Except in the number of its victims, the situation of the Jews of Roumania is even more deplorable than that of their co-religionists in Russia. They are not only loaded with disabilities and cruelly persecuted, but they are denied all political rights, and are even refused the quality of nationals in the land of their birth. They are veritable outcasts, being without national status of any kind, and consequently without the protection of any Government. At the same time, they are submitted to all the obligations and burdens of Roumanian citizenship. The worst of it is that this cruel and anomalous situation has been deliberately and avowedly created by the Roumanian Government to enable it to evade its obligations under Article XLIV. of the Treaty of Berlin, which imposed upon it the abolition of all religious disabilities as a condition of the recognition of the independence of the Roumanian State. Thus Roumania is guilty of a double offence against the principles for the vindication of which the Allies are now fighting at so great a cost in blood and treasure, inasmuch as she practises on a section of her own subjects a peculiarly hateful form of oppression, and in doing so she stands convicted of the violation of a solemn European Treaty the obligations and advantages of which she had alike accepted.

In this case there can be no question, in the opinion of our Committee, of the solution that is demanded, as much in the interest of the Allied Governments themselves as in that of the hapless Roumanian Jews. Article XLIV. of the Treaty of Berlin, and all the subsequent pledges of Roumania in regard to it, must be completely redeemed and adequate guarantees secured for them. There is no possibility of compromise, for it will be difficult for the Allies to exact reparation from Germany for her brutal disregard of the Treaties of 1830 if Roumania has still left her scarcely less cruel violation of the Treaty of 1878 unremedied. At

any rate, the incongruity may be productive of serious embarrassment for the Allies, since the Central Powers are certain to raise the question during the Peace negotiations, and, in that event, they will be able to quote at least one effective precedent for their action from the diplomatic history of Great Britain and France themselves (see *Polish Papers*, 1863, Despatch No. 205 and enclosures) should its technical relevancy to the direct issues of the War be questioned.

Closely associated with these two questions is that of the guarantees to be required for the existing rights of the large communities of Jews living in the German, Austro-Hungarian, Turkish, and Bulgarian provinces which will probably be ceded to Russia and Roumania respectively at the end of the War. In regard to similar transfers of territories at the close of the Balkan Wars in 1914 your Lordship proposed to take steps to safeguard the rights of minorities in the provinces thus transferred, and we do not doubt that His Majesty's Government will follow a similar course at the close of the present war. The question, however, will have to be watched very closely if your Lordship's reasonable desires, which coincide with those of the Jewish community, are to be fully realised. It will not be enough to secure an assurance that, in accordance with international law, the inhabitants of the territories in question shall be invested with the nationality of the annexing States, as in that case the Jews who enjoy full rights of citizenship in Germany, Austria-Hungary, Turkey, and Bulgaria would only be assimilated to the unenviable status of their co-religionists in Russia or Roumania, as the case may be. It is true that in the case of Roumania the grant of the nationality of that State should, under the existing Constitution, invest the grantees with full rights of citizenship, but that this will necessarily happen as a consequence of the annexation is far from certain, in view of the fate of the Jews of the Dobrudja when that province was ceded to Roumania in 1878. Although they were promised the same rights of citizenship as they had enjoyed under the Ottoman Constitution, it was not until thirty years later that those rights became available for them, and then only under conditions which rendered it very difficult for them to make good their claims. The Conjoint Committee, therefore, hold that the only just solution of this question is that it shall be stipulated in the Treaty of Peace that the inhabitants of an annexed territory, enjoying equal rights among themselves, shall be admitted to equal rights with the dominant population of the annexing States, irrespective of differences of race and creed, and that these rights shall become immediately effective in virtue of the Treaty itself.

The last question considered by the Conjoint Committee is that of the future of the Jews of Palestine. This is not in the same category with the questions created above, inasmuch as, so far as we know, there is no likelihood of Palestine coming within the influence of any Power which would be insensible to the just claims of the Jews. It is, however, a question in which our co-religionists take the profoundest interest. The views of the Conjoint Committee on the Palestine question have already been set forth in broad outline in the formula submitted to His Majesty's Government on March 3 last (see Enclosure II.). For the moment the Committee do not deem it necessary to add anything to that statement, but they propose, with your Lordship's permission, to address you more fully on the subject at a later date, when the international issues arising in connection with it may be clearer to them. Meanwhile they trust that His Majesty's Government will take no final decision on this question until the detailed views have been ascertained of the Conjoint Committee, representing as they do all the largest Jewish Congregations in the British Empire and many other influential Anglo-Jewish bodies.

We may now sum up the solutions of the chief Jewish questions arising out of the War which, in the considered opinion of the Conjoint Committee, the Allied

Powers should be prepared to announce, either before or during the negotiation of Peace. They are as follows:—

1. Jews of Russia:—Abolition of all political and civil disabilities differentiating them from their Christian fellow-countrymen.
2. Jews of Roumania:—Recognition of the right to Roumanian nationality of all Jews born in Roumania, and the immediate fulfilment of Article XLIV. of the Treaty of Berlin in regard to them.
3. Jews in Ceded Territories:—To enjoy the same equal rights with their Christian co-nationals as by law they enjoy at present.
4. Jews in Palestine:—(See Formula of March 3, 1916, copy of which is annexed. Enclosure No. II.)

Before concluding this statement we are desired by our colleagues to make two further observations. The first is that, in formulating the proposals outlined above, we have carefully borne in mind the terms of Sir Maurice de Bunsen's letter of June 23 last, and that, consequently, if these proposals can be rendered more "useful" to His Majesty's Government by any modifications not inconsistent with the vital interests of the Jewish communities affected by them, we shall be glad to place our activities and influence unreservedly at the disposal of His Majesty's Government to that end. The second observation is that, however much we may have criticised the attitude of certain of the Allies towards their Jewish subjects, our sincere purpose has been to eliminate from their association with the Western Powers all possible elements of discredit and discord when the time for harvesting the fruits of their sacrifices arrives.

We have the honour to be, My Lord, Your Lordship's most obedient, humble servants,

DAVID L. ALEXANDER, President,  
Jewish Board of Deputies.

CLAUDE G. MONTEFIORE, President,  
Anglo-Jewish Association.

LEOPOLD DE ROTHSCHILD, Vice-President,  
Jewish Board of Deputies and Anglo-Jewish Association.

The Right Honble. Viscount Grey of Fallodon, K.G., P.C.,  
His Majesty's Principal Secretary of State for  
Foreign Affairs, etc., etc., etc.

Enclosure I. in No. 4.

*Memorandum on the Treaty Rights of the Jews of Roumania presented to His Majesty's Government in November, 1908.*

The London Committee of Deputies of British Jews (representing the several Jewish Congregations in the British Empire) and the Council of the Anglo-Jewish Association (on its own behalf and on behalf of its Branches throughout the British Empire) desire to bring to the notice of His Majesty's Principal Secretary of State for Foreign Affairs the oppressive disabilities under which their co-religionists of the Kingdom of Roumania labour, in violation of Article XLVI. of the Convention

of Paris of August 19, 1858, and of Article XLIV. of the Treaty of Berlin of July 13, 1878. They further beg that these disabilities may be submitted to the judgment of the Conference of the Powers, which it is understood will shortly be summoned to deliberate upon other infractions of the Treaty of Berlin. They make this appeal on grounds of humanity and public law, and in the confidence that the Powers will welcome this opportunity of vindicating the great act of religious emancipation to which they set their signatures thirty years ago, and which the Kingdom of Roumania, alone of the States of the Near East, has refused to obey.

#### THE CONVENTION OF PARIS (1858).

The oppression of the Jews of Roumania, who now number more than 200,000 souls, first attracted the serious attention of the Great Powers at the close of the Crimean War. In connection with the measures then adopted for the organisation of the autonomy of the Principalities of Moldavia and Wallachia, "under the suzerainty of the Porte and the guarantee of the Contracting Powers," steps were taken to relieve the Jews of their legal disabilities. These were embodied in Article XLVI. of the Convention of Paris, which runs as follows:

All Moldavians and Wallachians shall be equal in the eye of the law and with regard to taxation, and shall be equally admissible to public employments in both Principalities.

Their individual liberty shall be guaranteed. No one can be detained, arrested, or prosecuted but in conformity with the law. No one can be deprived of his property unless legally for causes of public interest and on payment of indemnification.

Moldavians and Wallachians of all Christian confessions shall equally enjoy political rights. The enjoyment of these rights may be extended to other religions by legislative arrangements.

It is important to observe that while this Article left to the Principalities a discretion in regard to the complete emancipation of their non-Christian nationals, it distinctly recognised the existence of such nationals—"Moldavians and Wallachians . . . of other religions"—and accorded them civil rights. This is borne out by the Protocols of the Paris and Constantinople Conferences, and by the correspondence on the subject with the Prince of Moldavia, to be referred to presently. The discretion in regard to political rights was, however, not quite absolute, but was the result of a compromise, in which the Powers were led to believe that it would be exercised in an affirmative sense. Originally it was intended to impose much more exacting terms, as is shown by the following Articles of the Protocol of the Conference of Constantinople of February 11, 1856, which prepared the bases of the Paris Convention:—

XIII. All the religions and those who profess them shall enjoy equal liberty and equal protection in the two Principalities.

XV. Foreigners may possess landed property in Moldavia and Wallachia on discharging the same liabilities as natives and on submitting to the laws.

XVI. All Moldavians and Wallachians, without exception, shall be admissible to public employments.

XVIII. All classes of the population, without any distinction of birth or religion, shall enjoy equality of civil rights, and particularly of the right of property, in every shape; but the exercise of political rights shall be suspended in the cases of natives placed under a foreign protection.

These intentions of the Powers were modified in deference to the wishes and pledges of the reigning Prince of Moldavia, Gregory Ghika, who, in a memorial presented to the Congress of Paris, asked that, in view of the large number of unassimilated Jews in the Principalities, the realisation of the principle laid down by the Conference of Constantinople, "excellente en elle-même," should be reserved for the local government, "qui seul peut l'appliquer utilement." (Sturdza: *Acte si documente relative la Istoria Renascerei Romaniei*, Vol. II., pp. 980, 986.) Nevertheless, as Lord Enfield stated in the House of Commons on April 19, 1872, the Powers regarded the acceptance of Article XLVI. by the Principalities as a binding pledge to accord political liberty gradually to the Jews.

#### ORIGIN OF THE PERSECUTIONS.

The evasion of this pledge has been the chief preoccupation of the Roumanian Legislature during the past fifty years. So far from ameliorating the condition of the Jews, the Convention of Paris, by a regrettable accident, led to more burdensome disabilities and a more barbarous persecution than they had ever before endured. Under the old Organic Laws, by which the Principalities were governed previously to 1859, the people had no effective voice in the Government. Hence there was little cause for jealousy between Christians and Jews, and, with the exception of occasional explosions of religious fanaticism, they lived together in harmony. The new order of things established in 1858 destroyed this equality. It gave to the Christian population a monopoly of political power, which they were not slow to use against their trade rivals among the unenfranchised Jews. This unfortunate incidence of the Convention of Paris was aggravated by the new electoral law under which a preponderating franchise was reserved for the mercantile classes, with whom the Jews, being chiefly of the same classes, most directly competed. The result was that not only was the fulfilment of Article XLVI. of the Convention of Paris rendered impossible, but the whole influence of the mercantile electorate was employed to obtain the imposition of fresh disabilities upon the Jews, and to inflame the religious and racial prejudices of the populace against them. Instead of gradually emancipating them in accordance with the provisions of the Convention of Paris, even their status as "non-Christian Moldo-Wallachs," acknowledged in that instrument, was denied them. They were assimilated by the Civil Code of 1864 to aliens—though admitted by the Code to be "indigènes"—and were made dependent on a difficult and tedious process of naturalisation for their acquisition of political rights (Articles VIII., IX. and XVI.). Even this privilege was withdrawn from them by the Constitution of 1866, which declared (Article VII.) that "only Christians may obtain naturalisation." Consequently Article XLVI. of the Convention of Paris remained a dead letter.

#### THE TREATY OF BERLIN (1878).

The situation of the Jews, when the Berlin Congress met in 1878, was infinitely worse than it had been twenty years before, when it was first considered and dealt with by the Conferences of Constantinople and Paris. In 1858 their status was at least that of unenfranchised Roumanians. In 1878 they had been declared aliens and outcasts. Their civil rights had been withdrawn from them, and political rights had been placed beyond their reach. They were the pitiable objects of a mass of legal disabilities and police restrictions of the cruellest description. Besides this, they had suffered for ten years from a succession of barbarous persecutions and mob outrages, which had reduced them to the utmost misery and had excited the official protests of the Great Powers and the outspoken

indignation of the civilised world. It was in these circumstances that the Congress of Berlin found itself called upon to recognise Roumania as an independent Kingdom. It responded with Articles XLIII. and XLIV. of the Treaty of July 13, 1878, which withdrew from the Government of Bucharest all discretion in the matter of the emancipation of its non-Christian subjects, and imposed upon it as a condition of recognition the absolute equality of all religious creeds and confessions in the Kingdom. The following is the text of these Articles:—

XLIII. The High Contracting Parties recognise the independence of Roumania, subject to the conditions set forth in the two following Articles.

XLIV. In Roumania the difference of religious creeds and confessions shall not be alleged against any person as a ground for exclusion or incapacity in matters relating to the enjoyment of civil and political rights, admission to public employments, functions, and honours, or the exercise of the various professions and industries in any locality whatsoever.

The freedom and outward exercise of all forms of worship shall be assured to all persons belonging to the Roumanian State, as well as to foreigners, and no hindrance shall be offered either to the hierarchical organisation of the different communions, or to their relations with their spiritual chiefs.

The subjects and citizens of all the Powers, traders or others, shall be treated in Roumania without distinction of creed, on a footing of perfect equality.

Unfortunately the Powers were once again persuaded to agree to a compromise.

#### THE NEGOTIATIONS OF 1879-1880.

Acting on the arbitrary and illegal assumption that all Jews were aliens, Roumania contended that the only disability imposed upon them was exclusion from naturalisation under Article VII. of the Constitution, and she consequently proposed to revise this Article in satisfaction of Article XLIV. of the Treaty. (*State Papers*, Vol. LXXI., p. 1138.) This offer was declined by the Powers. (*Ibid.*, pp. 1140, 1158, 1163.) Its effect would have been—unhappily, it has been—not merely to leave the grievances of the Jews unremedied—for by the Roumanian Naturalisation Law the “quality of citizen” could only be obtained by individual Act of Parliament after a probation of ten years, and then was liable to be refused by the Chambers—but to extinguish the national status of the Jews and their civil rights as acknowledged by the Convention of Paris of 1858. Roumania then shifted her ground. Abandoning the pseudo-legal argument, she adopted a plea of expediency. She protested that if the Jews were not aliens in law they were aliens in fact—“*non seulement par leur religion, mais par la langue, le coutume, les mœurs, et les aspirations, en un mot, par tout ce qui constitue le caractère distinctif d'un homme dans la société.*” (*Ibid.*, p. 1154.) They were “*incultes et fanatiques*,” peculiarly accessible to foreign influences and, owing to their large numbers, calculated to strike “a fatal blow” at the homogeneity of the Roumanian national character. Finally, it was urged that the nation was strongly opposed to an immediate and wholesale emancipation, and that, if the Powers insisted upon it, the effect would be that the cause of religious liberty in Roumania would be endangered rather than promoted. (*Ibid.*, pp. 1136, 1161, 1165.) The force of these arguments was not denied by the Powers, but they still declined to admit that a revision of Article VII. would in any way meet the requirements of the Treaty of Berlin.

The Roumanian Government then offered solemn assurances that if the proposed solution was accepted it would be made to apply at once to assimilated Jews and that the naturalisation of the remainder would be generously facilitated. M.

Boeresco, the Roumanian Foreign Minister, even stated to Sir William White "that if the present Bill could only become law, a more complete measure of emancipation would be accepted by the electorate later on, when the present agitations had subsided." (*Ibid.*, pp. 1162, 1168-1169.) The most specific, however, of all the pledges given to the Powers was contained in a circular despatch of M. Boeresco, dated August 31, 1879, which he himself described as "a sort of *exposé des motifs* of the measure we are about to submit to the Chambers." The following are the essential passages in this important document:—

Will the Jews who do not immediately obtain naturalisation remain foreigners? *No, they will remain what they have always been—Roumanian subjects.* But in the measure that they identify themselves with the population of the country, in the measure that by schools and other means of preparation they become enlightened men and attached to the country, they will be able to obtain and exercise political rights.

There will be three categories of Jews: Foreigners, *Roumanian subjects*, and Citizens. Hitherto both the foreign and native Jews have been the objects of certain prohibitions, but in their quality of Jews alone. From the moment that Article VII. of the Constitution shall be suppressed *all these prohibitions will disappear*, and no distinction will be made between the foreign Jew and the foreign Christian. *It will be the same with Jews who are Roumanian subjects.* Hitherto certain civil rights have been denied them. Thus they could not be advocates, professors, State engineers, they could not serve on juries, etc. Under the new régime they will have in the first place all the rights enjoyed by foreigners in general. *Then, as Roumanian subjects they will have the right of serving in the army and the national guard, the right of acquiring real estate, the right to be advocates, to serve on juries, to exercise freely every profession and every trade; they will, in short, have the same civil rights as Roumanians, and will be protected in the same way by the law and by the authorities.* (*Official Documents extracted from the Diplomatic Correspondence of 2/14 September, 1878, 17/29 July, 1880. Bucharest, 1880, pp. 121-123.*)

To these assurances the Austrian and Italian Governments were disposed to lend a favourable ear, but Great Britain, France, and Germany still demanded legislative guarantees for the execution of the Treaty, if not immediately, at any rate within a reasonable time.

#### THE COMPROMISE OF 1880.

While the negotiations were still in progress the revision of Article VII. was adopted by the Roumanian Parliament, and promulgated by the Prince in the following terms:—

In room of Article VII., which is revised, the following shall be placed:—

Article VII.—The difference of religious creeds and confessions does not constitute in Roumania an obstacle to the acquirement of civil and political rights and their exercise.

1. Every foreigner, without distinction of creed, whether enjoying any foreign protection or not, can acquire naturalisation under the following conditions:—

(a) By addressing to the Government an application for naturalisation,

in which must be declared the capital he possesses, his profession, and his wish to establish his domicile in Roumania.

(b) By residing in the country for ten years after having made this application, and by proving by his acts that he is useful to the country.

2. The following may be exempted from this delay of residence (ten years):—

(a) All who shall have introduced into the country industries, useful inventions, or distinguished talents, or who shall have founded large commercial or industrial establishments.

(b) All who have been born and educated in Roumania of parents domiciled in this country, and have neither in their own case nor in that of their parents at any time been in the enjoyment of any foreign protection.

(c) All who have served with the Colours during the War of Independence, and these can be naturalised collectively on the proposition of the Government by a single Law without further formalities.

3. Naturalisation can only be granted by a Law and individually.

4. A special Law will determine the manner in which foreigners can establish their domicile on Roumanian territory.

5. Roumanians and naturalised Roumanian citizens can alone acquire rural estates in Roumania.

Rights acquired up to the present time are respected.

The International Conventions existing at present remain in force, with all their clauses, and for the term mentioned therein.

At the same time a Bill was passed naturalising 883 Jews who had served with the Colours during the War of Liberation.

Wearied by the long negotiations and sundered by the varying interests in the question, the Powers now reluctantly consented to accept the Roumanian solution. Before doing so, however, they extracted from the Roumanian Government a formal declaration of the acceptance of the principle of Article XLIV. of the Treaty of Berlin, and of its determination to act upon it "loyally and sincerely." This was given in the following note:—

Article VII. of the Roumanian Constitution, sanctioning the principle of Article XLIV. of the Treaty of Berlin, has opened to the Jews access to citizenship, and has abrogated all existing laws contrary to that principle. That principle will continue to be observed sincerely and loyally. The organic powers will devote themselves to assuring its respect, and will pursue its application with the view of securing a more and more complete assimilation of the Jews. . . . Meanwhile, all Jews residing in the country will possess, from the point of view of private civil law, an assured juridical position, and will have no cause to fear arbitrary administrative measures or exceptional laws aimed at confessions or religions. (Statement by Signor Cairoli in the Italian Parliament, December 9, 1879.)

On the receipt of this note, Austria and Italy at once notified their recognition of the new Kingdom. Their example was followed, after considerable hesitation, by Great Britain, France, and Germany. The latter Powers, however, took the precaution to formulate in precise terms the view they took of the transaction with the Roumanian Government, pointing out that the conditions of the Treaty of Berlin had admittedly not been fulfilled, and that they relied on the solemn

pledges of the Principalities to observe them in the spirit, and to execute them gradually in the letter. These important reservations were contained in the following paragraphs of the identic note presented to M. Boerescu by the three Powers on February 20, 1880:—

Her Majesty's Government cannot consider the new Constitutional provisions which have been brought to their cognisance—and particularly those by which persons belonging to a non-Christian creed domiciled in Roumania; and not belonging to any foreign nationality, are required to submit to the formalities of individual naturalisation—as being a complete fulfilment of the views of the Powers signatories of the Treaty of Berlin.

Trusting, however, to the determination of the Prince's Government to approximate more and more, in the execution of these provisions, to the liberal intentions entertained by the Powers, and taking note of the positive assurances to that effect which have been conveyed to them, the Government of Her Britannic Majesty, being desirous of giving to the Roumanian nation a proof of their friendly sentiments, have decided to recognise the Principality of Roumania as an independent State. Her Majesty's Government consequently declare themselves ready to enter into regular diplomatic relations with the Prince's Government.

#### ROUMANIAN PLEDGES REPUDIATED.

Except that the rights of the Roumanian Jews had been re-stated by the Powers in a more categorical form than in 1858, nothing was changed by the Treaty of Berlin. The illusory pledges of Prince Gregory Ghika, unfulfilled for twenty years, had been repeated by the Government of King Charles with more emphasis and circumstantiality, but with just as little intention of fulfilling them. Thirty more years have now passed, and a new generation of Jews has been born in the land. They, however, are still as far from emancipation as were their fathers, when their sad lot first engaged the sympathy of Europe and the good offices of the Great Powers. They are still held to be aliens; naturalisation is still practically inaccessible to them, and their persecution, legal and otherwise, has been in no way relaxed.

These evasions of the Treaty have been facilitated by two defects in the compromise arrived at in February, 1880. One was the omission to secure a legislative acknowledgment from the Roumanian Parliament that Jews belonging to no other nationality and enjoying no foreign protection were Roumanian nationals in the sense of Article XLVI. of the Convention of Paris, and the admission of M. Boerescu in his despatch of August 31, 1879. The second defect was contained in paragraph 3 of the revised Article VII. of the Constitution, which virtually left the Roumanian Parliament free to deal with Jewish petitions for naturalisation as it pleased.

In the case of naturalisations the result has been this. So far from facilitating the extension of political rights to the Jews in accordance with the solemn pledges given to the Powers, the Roumanian Chambers have placed every possible impediment in the way of granting them. Since the recognition of the Kingdom in 1880 the total number of Jews for whom naturalisation Bills have been passed is 176 out of an adult male population of about 100,000, almost all of whom are natives, and more than 20,000 of whom have duly performed their military service under the Conscription law.

In the case of the national status of the Jews, the result has been to enable the Roumanian Government to reaffirm their alien status, and to re-enact all the old persecuting laws under the guise of laws relating to foreigners. It is true that

these laws apply ostensibly to all foreigners alike, but in regard to foreigners with a determined nationality their persecuting incidence is either not felt by reason of the floating character and limited interests of that class of the population, or is defeated by the protection of their respective Governments. The Jews, on the other hand, having no foreign Governments to appeal to, are subjected to the full force of those laws, which usually apply to peculiar circumstances of their social life differentiating them from authentic aliens. Moreover, the persecuting possibilities of such laws are often accentuated by administrative circulars, and almost invariably by the anti-Semitic zeal of the local authorities to whom their execution is confided, and who enjoy a perfect immunity for their harsh and often illegal action.

#### DISABILITIES RENEWED.

The following is a synopsis of the persecuting legislation above referred to:—

In the first place, attention must be directed to a class of laws ostensibly aimed at foreigners, but bearing harshly on Jews, which were passed previously to 1878. In accordance with the Declaration of the Roumanian Government made to the Powers on the eve of the recognition of the Kingdom, these laws, so far as they apply to native Jews, should have been abrogated, as being "contrary to the principle of Article XLIV. of the Treaty of Berlin." To this day they remain on the Statute Book. They comprise the Decree of December 4, 1864, reserving the profession of advocates to Roumanians born or naturalised; that of October 25, 1869, placing the same restriction on the trade of pharmacists; the Law of February 3, 1868, requiring that tenders for public works should only be accepted from persons possessing civil rights; that of February 3, 1872, limiting the bonding, manufacture, and sale of tobacco to Roumanian citizens; and the Law of February 13, 1873, placing a similar restriction on the retail sale of spirituous liquors. The latter law reduced thousands of Jews to beggary without affecting a single authentic foreigner, and led Lord Granville to propose an intervention of the Powers, which was only defeated by the non-adhesion of Russia.

Since 1878 these restrictions have been multiplied with the cruellest ingenuity.

A Law of 1868, which forbade the settlement of Jews in rural communes, was renewed in 1881 and 1887, and in order to concentrate them in a comparatively few towns, where they could be more easily persecuted by the police, a large number of urban communes were transformed into rural communes, and the Jews expelled from them under circumstances of great hardship.

Jewish children are not admitted to the national schools on the same footing as Christian children. Although the Law of May 12, 1896, declares primary instruction obligatory and gratuitous for all Roumanians, a heavy fee is imposed upon "foreigners," and even then they can only be admitted when the requirements of the Christian population have been fully satisfied. The result is that in many cases the primary schools are closed to Jews. Similar restrictions apply to secondary, superior, technical, agricultural, and normal schools. (Laws of February 23, 1893, and March 23, 1898.) At the same time the efforts of the Jews to found and maintain their own schools are seriously obstructed by the Government and local authorities.

Public employments and all the liberal professions are closed to Jews, and they are virtually excluded from many trades. They cannot act as stock or trade brokers of any kind; they are excluded from Chambers of Commerce, and they may not be members of Artisans' Corporations. (Laws of June 8, 1884; June 24, 1886; February 28, 1887; June 22, 1893; January 26, 1894; and February 18,

1899.) By the Law of March 15, 1884, they were expelled from the peddling traffic, in which 20,000 are said to have been engaged. Jewish workmen can only be admitted into factories in the proportion of one-third to two-thirds Christians (Law of May 24, 1887), which, in view of their concentration in towns, often renders employment for large numbers of them hopeless. In 1902 an attempt was actually made to deprive them of the exercise of all handicrafts by a Law (March 17) which required, *inter alia*, that no "foreigner" should be permitted to exercise a handicraft in Roumania unless he could show reciprocity for Roumanians in his own country. The Jews, being "foreigners not under foreign protection," were unable to prove this reciprocity, and, had it not been for the representations of the Powers, they would have been reduced to absolute mendicancy. The law is, however, still employed in other respects to hamper Jewish artisans in earning their daily bread.

A characteristic example of the ingenuity with which this legislation is framed in order to evade the spirit of the Treaty of Berlin, while apparently complying with its letter, is afforded by the Military Law of November 21, 1882. By Article I. of this law "all the inhabitants of the country" are liable to military service. By Article II. "subjects of foreign States" are declared ineligible for the army. Hence the Jews, being "inhabitants," but not "subjects of foreign States," are called upon to serve, although deprived of all civil and political rights. Promotion, however, is denied them on the ground that "service in the army is a duty, while the rank of officer is a public function reserved for Roumanian citizens." (Speech of M. Bratiano in the Roumanian Senate, May 27, 1882.)

As alleged aliens the Jews are also liable to expulsion not only from rural communes, but even from the country itself. This has been often resorted to in order to prevent them from agitating publicly against their disabilities. They are not permitted to ventilate their grievances in the public Press. They may not hold public meetings, and they have no right of petition to Parliament or the King. They are compelled to take out certificates of residence as foreigners, and, although taxed for the support of local hospitals, they have no right of entry into those institutions. Besides these legal disabilities, they suffer the harshest treatment at the hands of the local authorities, who readily take advantage of their helplessness to realise against them all the underlying anti-Semitism of the laws relating to aliens. Jews are frequently arrested and beaten without cause and with absolute impunity, and in some districts special taxes, beyond those which they pay in common with all Roumanian citizens, are levied upon them. In a word, the Roumanian Jew is a veritable outlaw from his youth upwards. (For texts of the above mentioned laws and examples of their anti-Jewish application, see Sincerus, "Les Juifs en Roumanie," Londres, 1901.)

#### AIMS AND CONSEQUENCES OF THE PERSECUTION.

Apart from the illegality of this *régime*, its barbarous purpose and the embarrassments it causes to foreign countries must render it a matter of grave concern to the Powers signatories of the Treaties of 1858 and 1878. What is its purpose? A careful examination of the laws aimed at the Jews shows that they go far beyond the alleged defensive needs of Roumanian national homogeneity, or of the social and economic interests, however extravagant, of any class of the Christian population.

The effect of these laws must be to prevent the assimilation of the Jews, to perpetuate any exclusive characteristics and tendencies they may possess, and to alienate them from the national sentiment. When it is remembered that, under the pledges given to the Powers by the Roumanian Government in 1880, it is this

very assimilation of the Jews which would destroy the last vestige of excuse for their non-emancipation, can we doubt that these effects have been deliberately sought by the Legislature, and that assimilation has been forcibly discouraged in order to justify the Roumanian State in resisting the Treaty of Berlin? Nothing can be more convincing on this head than the virtual exclusion of Jews from the national schools and the liberal professions. In 1879 it was complained that the Jews were "*incultes, fanatiques, ayant une autre langue, d'autres mœurs, d'autres sentiments.*" (*State Papers*, Vol. LXXI., p. 1161.). In view of the illiteracy of the Roumanian people themselves—88.4 per cent. (*Statesman's Year Book*, p. 984), while that of the Jews is probably less than 5 per cent.—and the fanaticism of the anti-Semitic movement in the country, these are strange excuses for denying the eligibility of the Jews for the rights of Roumanian nationals. But even were they relatively well founded, how can Roumania justify her conduct in seeking to perpetuate these conditions, while pleading that they stand in the way of the loyal fulfilment of her Treaty obligations and pledges? The truth is that the Jews are being systematically and intentionally barbarised and impoverished, in order to exclude them from their rights, and, if possible, to get rid of them altogether. The oppressive economic laws follow logically from the barbarising laws, for it is obviously not to the advantage of any State to retain a class of inhabitants who are alien in manners and sentiment from the bulk of the nation. Hence the efforts to make life impossible to the Jews, efforts which have already driven over 100,000 into a condition approaching vagabondage, and during the last ten years have forced over 60,000 to emigrate. The exact number of refugees for this period cannot be stated, but between 1899 and 1904 alone it was officially returned at 41,754. (*Bulletin de l'Alliance Israélite*, 1904, p. 55.)

It is chiefly through this emigration that embarrassment is caused to foreign countries. It has been felt in England, and it played no small part in the agitation which led to the enactment of the Aliens Act, 1905. It has also been felt in the United States, and it compelled the Washington Cabinet in September, 1902, to address a vigorous note to the Signatory Powers of the Treaty of Berlin, protesting against the inhuman violations of that instrument by Roumania. It is, moreover, a source of danger to the peace of the Near East, and especially to the new Constitutional *régime* so happily inaugurated in Turkey. The demoralising example of Roumania is calculated to encourage and in a sense justify the reactionaries in the Ottoman Empire. It was by similar violations of the practice of Liberal States that the Softa movement against the Turkish Constitution in 1876-78 was defended. (Schulthess: *Geschichtskalender*, 1876, p. 517.) The precedent is ominous. If Europe permits a Christian State which is her own creation to exclude non-Christians from national rights, why should a Mussulman State be compelled to admit non-Mussulmans? This question was asked in 1876 with disastrous consequences, and it may quite conceivably be asked again.

#### THE DEFENCE OF ROUMANIA.

What is the defence of Roumania against these serious charges? It is at once simple and amazingly cynical. Roumania takes her stand on the argument that the Jews have always been aliens in the land, and that the strict letter of the Treaties of 1858 and 1878 did not alter their status. When she is reminded of the official admission to the contrary of M. Boeresco in 1879, of the formal and categorical pledges of 1880, and of the precise statement of the terms on which the three Western Powers recognised her independence, she points to the equivocal revision of Article VII. of her Constitution, which was ingenuously accepted by Europe, and declares that she is bound by that alone. No attempt is made to hide the bad faith of this astonishing plea. Indeed, Roumanian writers of

eminence boast of it. " *Le traité de Berlin*," writes M. Suliotis in the *Journal du droit international privé* (Vol. XIV., p. 563), " *a cru faire merveille en faveur des étrangers, mais la Roumanie a su habilement éluder les inconvénients qui pouvaient résulter de l'application de l'article VII. dans le sens du Traité de Berlin, qui n'a eu d'autres résultats que de rendre plus difficile la situation des étrangers.*" No enemy of Roumania could ask for a more damaging statement of the case against her. Nor does this stand alone. Writing in the *Romanul* of December 25, 1881, M. Rosetti, an ex-Minister and one of the leading statesmen of the Kingdom, also boasted of the trick which had been successfully played on Europe. " We may congratulate ourselves to-day," he writes, " on having solved the Jewish question in a national sense, and that—we may now avow loudly—contrary to the manifest will of the Powers and even contrary to the spirit of the Treaty of Berlin."

#### ARE THE JEWS ALIENS?

Notwithstanding the confidence thus shown in the letter of the Treaties, it may well be questioned whether even in this technical respect Roumania is on safe ground. The Treaty of Berlin, it is true, does not specifically recognise the Jews as nationals, but that Treaty is governed by the Convention of Paris of 1858, and it is certain that Article XLVI. of that instrument accepted all native Christians and non-Christians alike as Moldo-Wallachs, and conferred on them equal civil rights. It is idle to pretend in reply to this that the Jews of the Principalities were at that time aliens by law. In the first place it is very doubtful whether they were, seeing that as natives they are often distinguished from foreigners in the pre-1858 legislation. But even if they were, a new era was inaugurated by the Convention of 1858, which swept away the old Organic Laws and organised the autonomy of the Principalities on an entirely new and modern basis. For it must be remembered, as Lord Clarendon pointed out in 1870, that the Convention was not a mere enumeration of incidental stipulations, but was avowedly the fundamental basis of the public law of the Principalities in their new condition. Nothing of the old régime inconsistent with its provisions could survive. If the national status of Jews can be denied to-day on the ground that it existed in the Organic Laws, many other disabilities which weighed on Christians as well in the first half of the nineteenth century, and which gave rise to the Roumanian revolution of 1848, might be revived. The solidarity of the Jews and Christians in this respect is indeed strikingly illustrated by the fact that the revolutionary Government of Wallachia in 1848 actually proclaimed the emancipation of the Jews, whose sons and grandsons to-day are declared aliens. (*State Papers*, Vol. LXXI., p. 1153.) This alone suffices to destroy the contention that all the Jews of Roumania were foreigners in the eye of the law in 1858.

Nor are the Roumanians justified in assuming that, if the absence of any recognition of native Jews as Roumanian subjects in Article XLIV. of the Treaty of Berlin stood alone, it would sanction the Roumanian assumption of their alien status. That this is not the case is, indeed, clear from the protocols of the Congress. The ideas and intentions which guided the Powers were expressed with as much precision as eloquence by M. Waddington at the sitting of the Conference of June 28, 1878. On the question that an Article exactly similar in terms to Article XLIV. should be imposed on Serbia, Prince Gortchakoff objected to the granting of " civil and political rights " to the Jews of both Serbia and Roumania. Thereupon the French plenipotentiary said:—

He considered it important to seize this solemn opportunity to procure an affirmation by the Representatives of Europe of the principles of religious liberty. His Excellency added that Serbia, which demands to enter into the European family upon the same footing as the other States, should in the first place acknowledge the principles which form the basis of social organisation in

all the States of Europe, and accept them as a necessary condition of the favour she solicits. (*Protocols of the Berlin Congress*, C.—2083, p. 120.)

It was on this principle that the Powers acted when the effects of Article XLIV. were considered. Their idea was that the emancipation of native Jews in Roumania should be assimilated to the like emancipations in Western Europe. This view, indeed, was at once adopted by Serbia, where Jews had previously been persecuted and oppressed in the same way and on the same grounds as in Roumania. Moreover, it must be obvious that when the Powers stipulated for religious equality "in matters relating to the enjoyment of civil and political rights" they could not have contemplated the exclusion of Jews *quâ* Jews from the fundamental right of nationality.

It should also be observed—though this is quite a minor matter—that even if the Roumanian contention is sound, the treatment of the Jews is none the less a violation of Article XLIV. The concluding *alinéa* of that Article provides for the equal treatment of all foreigners. This the Jews do not enjoy even in their alleged capacity of foreigners, for, apart from the unequal incidence of the Roumanian legislation relating to aliens, the Jews are compelled to serve in the army, while other aliens are exempt, and their civil status is arbitrarily regulated by Roumanian law, while that of other foreigners is subject to the law of their respective countries.

#### CONCLUSION.

On these grounds the Jewish communities of Great Britain venture to hope that His Majesty's Government will be able to see their way to submit this grave question to the Signatory Powers of the Treaty of Berlin, and to seek with them for a solution which will put an end to a situation which is not only a source of much human suffering, but also a scandalous defiance of the will of Europe as embodied in solemn Treaties. Of all violations of the Treaty of Berlin which have taken place during the last thirty years, the worst are assuredly those which set at nought the liberating spirit which is of the very essence of that compact. Territorial changes and changes in the political status of the various territories of South-Eastern Europe are of subsidiary consequence. The Treaty of Berlin is, above all, a great charter of emancipation, especially of civil and religious equality. This principle is embodied in no fewer than five of its Articles, relating to every political division of the vast region with which it deals, and in each case it is asserted as the fundamental basis of the liberties conferred on the various States. Hence to violate this principle is the gravest blow which can be struck at the Treaty, besides being a menace to the peace and social stability of the Near East, and an offence against international morality. To-day this principle has been loyally complied with by all the States of South-Eastern Europe, with the single exception of Roumania. In that Kingdom over 200,000 human beings, languishing in a bondage worse than ever oppressed the Christians of the Ottoman Empire, still invoke the liberating spirit of the Charter of 1878. The Great Powers of Europe assuredly cannot be insensible to this cry at a moment when they are about to consider the revision of this very Charter.

DAVID L. ALEXANDER, President of the London Committee of Deputies of the British Jews.

CLAUDE G. MONTEFIORE, President of the Anglo-Jewish Association.

LEOPOLD DE ROTHSCHILD, Vice-President of the London Committee of Deputies of the British Jews.

EDWARD SASSOON, Vice-President of the Anglo-Jewish Association.  
19, Finsbury Circus, London, E.C., November, 1908.

Enclosure II. in No. 4.

*Suggested Palestine Formula submitted to His Majesty's Government, March 3, 1916.*

In the event of Palestine coming within the spheres of influence of Great Britain or France at the close of the War, the Governments of those Powers will not fail to take account of the historic interest that country possesses for the Jewish community. The Jewish population will be secured in the enjoyment of civil and religious liberty, equal political rights with the rest of the population, reasonable facilities for immigration and colonisation, and such municipal privileges in the towns and colonies inhabited by them as may be shown to be necessary.

Enclosure III. in No. 4.

(See Pamphlet: "The Legal Sufferings of the Jews in Russia." Edited by Lucien Wolf. London, 1912.)

No. 5.

*(From Sir Maurice de Bunsen to the Conjoint Committee.)*

Foreign Office,

January 20th, 1917.

Sir,—I am directed by Mr. Secretary Balfour to acknowledge the receipt of your letter of the 5th instant (addressed to Mr. Oliphant), enquiring whether the Secretary of State will be able to express an opinion on the points raised in your Memorandum of October 1.

In reply, I am to inform you that in view of the general situation in Europe he is unable to hold out hopes of an understanding being arrived at now or in the immediate future between the Allied Governments in the sense suggested in your Memorandum of June 14.

I am, Sir,

Your most obedient humble Servant,

MAURICE DE BUNSEN.

Lucien Wolf, Esq.

(b) POLAND.

No. 6.

*(Extract from Minutes of the Joint Foreign Committee, dated October 2, 1918.)*

Resolved that in any further negotiations with leaders of the Polish Political Parties (1) the following five points shall be proposed as the basis of any such negotiations:—

1. That all native Jews of Poland and resident Russian Jews who do not desire to retain their Russian nationality shall be recognised as Polish citizens on a footing of perfect equality with their fellow-citizens of other races and creeds.
2. That the linguistic restrictions of the Act of 1862 shall be repealed.
3. That the Jews shall be secured in the autonomous management of their religious, educational, charitable, and other cultural institutions.
4. That where they live in considerable masses Sunday labour and trading shall be permitted to those Jews who observe the Jewish Sabbath.
5. That Jewish refugees who were permanently settled in Poland before the War shall be freely repatriated and restored to their homes and properties.

(1) Confidential negotiations were then in progress with the Polish National Committee and other Polish party organisations.

101 101

(c) ROUMANIA.

**NO. 7.**

*(Extracts from Treaty of Bucharest, dated May 7, 1918.)*

Paragraph VII. deals with equal rights for the religious denominations in Roumania.

*Article XXVII.*—The same freedom and the same protection of the law and the authorities will be accorded in Roumania to the Roman Catholics, the Greek Uniate, the Bulgarian Orthodox, the Protestant, the Moslem, and the Jewish religions, as to the Roumanian Orthodox Church. They shall have the right to establish private schools. In all public and private schools the pupils may only be compelled to receive religious instruction from a qualified teacher of their own religion.

*Article XXVIII.*—The diversity of religious belief shall not exercise any influence on the legal position of the inhabitants, and especially their political and civil rights. The principle laid down in Paragraph I. is also to be applied to persons in Roumania having no nationality (*Staatslosen*), including Jews hitherto regarded there as foreigners. For this purpose until the ratification of the peace treaty a decree will be proclaimed whereby all persons having no nationality who participated in the war, or who were born in and reside in the country and descend from parents born there, are to be immediately regarded as Roumanian subjects with full rights. (*Times*, May 9, 1918.)

**NO. 8.**

*(Statement by Lord Robert Cecil in the House of Commons, May 30, 1918.)*

Lord R. Cecil, replying to Mr. King (Somerset N., L.), who asked whether the treaty of peace recently signed by Roumania guaranteed full and equal rights to Jews, said:—If the hon. member will read these treaty stipulations with care, he will observe that the enfranchisement obtained for the Jews is of a most limited and conditional nature, and that the clauses have, in fact, been framed solely in order to give Germany an additional pretext for interfering in the internal affairs of Roumania. His Majesty's Government have the fullest sympathy with the cause of Jewish enfranchisement in Roumania and elsewhere; but it is to the full programme of liberation which the Roumanian Government had themselves adopted prior to this treaty, and not to this restricted scheme, that His Majesty's Government will adhere.

**NO. 9.**

*(Mr. Lucien Wolf to Lord Robert Cecil.—Extract.)*

June 3rd, 1918.

I think you must have been misinformed when you referred to "the full programme of liberation which the Roumanian Government had themselves adopted prior to this Treaty." Neither we nor our friends in Jassy have any knowledge of this "full programme." Nor do we believe that M. Marghiloman is likely to view such a programme with favour. The promises of the King last year fell far short of a "full programme of liberation." We are, however, doing our best to persuade the Roumanian Government to adopt such a programme spontaneously, and to that end we have framed amendments of the Roumanian Constitution to be submitted to the Roumanian Government when an opportunity affords.

**No. 10.**

(*Sir W. Langley to Mr. Lucien Wolf.*)

Foreign Office,

June 13th, 1918.

Sir,—With reference to your letter to Lord Robert Cecil of the 3rd instant, relative to the Jewish question in Roumania, I am directed by Mr. Secretary Balfour to state that the programme referred to in the answer given in the House of Commons on the 30th May was that to which the Roumanian Government had pledged themselves during a debate in June, 1917.

In the course of this debate Monsieur Také Jonescu had stated that "one of the main questions which the Roumanian Government must now solve is that of the position of the Jews in Roumania, and that the solution to be given to this question must be wide and complete without equivocation and without reserve and conceived in a spirit of probity as was becoming to a country which has given its word, and which is determined to have that word respected."

Monsieur Bratiano was then asked whether this statement of Monsieur Také Jonescu represented the view of the Government as a whole, and the Prime Minister replied that what his colleague had said on the subject of the Jewish question represented the opinion of the whole Government.

I am, Sir,

Your most obedient humble Servant,

Lucien Wolf, Esq.

W. LANGLEY.

**No. 11.**

(*Mr. Lucien Wolf to the Under-Secretary of State.*)

June 14th, 1918.

Sir,—I am in receipt of your letter of the 13th inst. (103114/W/19.) relating to the attitude of the Roumanian Government on the Jewish Question, and I am obliged to you for the explanation you are good enough to give me of the statement made by Lord Robert Cecil in the House of Commons on the 30th May.

Your letter shall be submitted to my Committee at its next meeting, and I do not doubt that they will be much gratified to know that His Majesty's Government regard the statements made in the Roumanian Chamber in June, 1917, by M. Také Jonescu and M. Bratiano as "pledging" the Roumanian Government to a "full programme of liberation" of the Jews of the Kingdom of Roumania.

I am, Sir,

Your most obedient humble Servant,

LUCIEN WOLF.

**No. 12.**

(*Sir Ronald Graham to the Joint Committee.*)

Foreign Office, June 18, 1918.

Sir,—

With reference to your letter to Lord Robert Cecil of the 10th instant (²) relative to the position of Jews in Roumania, I am directed by Mr. Secretary Balfour to inform you that he has only recently assured the Zionist Organisation in London that His Majesty's Government are anxious to do everything in their power to secure a just and permanent settlement of the Jewish question in that country.

I am, Sir,

Your most obedient humble Servant,

Lucien Wolf, Esq.

R. GRAHAM.

(²) Not printed.

August 9, 1918.

M. Také Jonescu opened the conversation by referring to the report of our Roumanian Sub-Committee, dated May 8, 1918, of which I had sent him a copy on the previous day. He said he had not had time to study it carefully, but he proposed doing so at the earliest opportunity. His first impression, however, was not favourable to the main solution proposed by us. He was anxious to settle the Jewish question without any large disturbance of the Roumanian conception of nationality and system of naturalisation. His idea was that the Roumanian Law should maintain the "right of origin," and not the "right of birth in the country." Roumania should for the present give to all Roumanian Jews full equality with their Christian fellow-countrymen, but she ought not to abandon her system of regarding as Roumanians only those who descend from Roumanians, be they Roumanian Jews or Roumanian Christians. To achieve this end all necessary legislation, and even a modification of Article VII. of the Constitution, should be adopted, no matter what the difficulties or the cost. Such legislation should enact that all Jews born in Roumania, and not under foreign protection, were *de jure* Roumanians, and were not subject to individual naturalisation. Whether that could be done without a revision of Article VII. of the Constitution was, he thought, an open question.

I said we were not wedded to the solution proposed in our Report. The idea underlying it was that, as all Roumanian statesmen, including M. Jonescu himself, had hitherto declared that the emancipation of the Jews could only be effected by a revision of the Constitution, such revision should take the form of a general liberalisation of the Roumanian theory of nationality under which the Jews would automatically receive their rights, and not a special concession to the Jews as such. We thought this would be more agreeable to Roumania herself, and, besides, it would have the advantage of obviating a revival of the Jewish question as such, and of all the bitter controversies which had gathered round it of late years. If, however, Roumania preferred the course outlined by M. Také Jonescu, that was entirely within her competence, and, I imagined, would not be unsatisfactory to the Jews themselves. At any rate, I was glad to hear that he thought his scheme practicable.

I then referred to certain subsidiary aspects of the legislation contemplated by M. Také Jonescu. Assuming that his Law was passed, I asked:—

1. How would foreign-protected Jews be identified, and what guarantee would there be that any Jew born in the country would not be arbitrarily declared to be under foreign protection because he was more or less remotely descended from foreigners?

2. How would emancipated Jews obtain the recognition and exercise of their rights?

3. How would such Jews be allowed to prove that they were born in Roumania, seeing that in most cases documentary evidence is not available?

To the first question M. Jonescu replied that the War had rendered the identification of foreign-protected Jews quite easy. Where such Jews had been under enemy protection their cases had been investigated and they had been interned. Other cases of foreign protection were settled by the Conscription lists, from which, of course, all the Jews claiming such protection had been eliminated. Thus there would only be a few Jews above the military age whose claims to Roumanian

nationality might be questioned, and he thought we might rest assured that they would suffer no injustice.

With regard to the second question, he said that Special Commissions would have to be appointed to examine all the claims under the proposed new Law, and to grant to the emancipated Jews the necessary certificates of Roumanian nationality. I said I was afraid this would not prove satisfactory, as, to speak quite frankly, the Jews feared that Commissions, or, indeed, any bodies having a large discretion in the matter, would be dominated and led astray by anti-Semitism. It would be far more satisfactory if the Government proceeded by automatic registration, the Registrars being compelled to enter the names of Jews on the lists of citizens on production of certain clearly specified evidence of qualification. The registration could always be contested, and then would be the time for judicial investigation. This had been the procedure in Western Europe, and it had proved quite successful. In the case of the Bill just passed by the Roumanian Chambers the task of investigation and registration had been confided to the local tribunals, with a power of appeal to the Higher Courts, and I knew from letters I had received only that morning that the Jews feared that this would not work well.

M. Také Jonescu thought that all such fears were greatly exaggerated. In any case the judicial authorities would give much more substantial guarantees to the Jews than administrative officers, but he preferred special Commissions because he was convinced they would work even better. After all, if there were contestations the question would have to be decided by higher tribunals, so that purely administrative action would not lead to much. Besides, under the present electoral law the registration of Roumanian electors was in the hands of the judicial authorities, and not in those of the Administration. He agreed, however, that every precaution should be taken that no injustice should be done to the Jews, and that was why he favoured the creation of special Commissions, as he was sure that they would offer the best guarantees in that respect.

With regard to the third question, M. Také Jonescu agreed that for all persons born before 1863 it would be unfair to ask for documentary evidence of birth, and he would be in favour of some such provision as that suggested in the Report of our Sub-Committee. Since 1863, however, the official registers in Roumania had been well kept, and there would be no necessity to exempt Jews born after that year from producing certificates of birth.

Speaking generally, M. Také Jonescu said that he thought we might take it that the Jewish question in Roumania had already practically ceased to exist. The new Law passed by the Roumanian Chamber as a result of the Treaty of Bucharest was, no doubt, very defective, and was also very distasteful to all Roumanian patriots and friends of the Entente because of its origin. Nevertheless, he felt sure that the result of it would be to emancipate finally and fully the great bulk of the native Roumanian Jews. Hence, when the War came to an end there would really be very little to do, for, obviously, the Peace Congress could not insist on the repeal of the Emancipation Act whatever its origin. It would stand even though the Treaty of Bucharest were denounced. His own legislation would, however, establish Jewish emancipation on a broader basis of principle, and would thus fill up the gaps left by the new Act.

The above statement has been submitted to M. Také Jonescu, and revised by him.

LUCIEN WOLF.

(*M. Také Jonescu to Mr. Lucien Wolf.*)

August 10, 1918.

Dear Mr. Wolf,

I enclose herewith the summary of our interview with the corrections I have made, according to your suggestion to make any correction I think necessary. I hope all this matter will be soon entirely and definitely settled. You know that for my part I shall do everything for this end. What I want is that no trace of the Jewish question in Roumania should remain in our legislation.

Yours faithfully,

**TAKE JONESCU.**

(*Mr. Lucien Wolf to M. Také Jonescu.*)

September 18, 1918.

Dear Monsieur Také Jonescu,—At a meeting of my Committee held yesterday I presented the Memorandum of our interview on August 9th. The Committee were much gratified by your assurances, and I was instructed to convey their thanks to you. Some of our legal members scrutinised the Memorandum very carefully, and a doubt was expressed as to whether your statement that "Roumania should for the present give to all Roumanian Jews full equality with their Christian fellow-countrymen, but she ought not to abandon her system of regarding as Roumanians only those who descend from Roumanians, be they Roumanian Jews or Roumanian Christians," would secure emancipation to all Jews now living who have been born in the country. I pointed out that this doubt seemed to be cleared up by your subsequent statement that the legislation you contemplated would "enact that all Jews born in Roumania and not under foreign protection were *de jure* Roumanians." My legal friends were, however, not quite satisfied, and they were especially afraid that if Jews born in Roumania were to claim Roumanian nationality before the Commissions on the faith of birth certificates in which their fathers were described as "foreigners," their claims might be disallowed on the ground that Roumanian law did not recognise the "right of birth" but only the "right of origin." As I understand your assurances, what you contemplate is an exceptional Act giving Roumanian nationality to all Jews born in the country, whatever the nationality of their parents, so long as they in their own persons have not retained their parents' nationality or otherwise claimed foreign protection, this Act to be independent of the fundamental principle of Roumanian law that nationality depends on origin and not on local birth. I shall feel very much obliged if you will let me have a line confirming this interpretation of your intentions, as I should not like my Committee to remain under any misapprehension in regard to them.

I trust that your health is deriving advantage from your rest in France, and that we may soon hear of your taking an active part in the politics of your country.

With all my kind regards,

Believe me,

Very faithfully yours,

**LUCIEN WOLF.**

(*M. Také Jonescu to Mr. Lucien Wolf.*)

Berkeley Hotel,  
Piccadilly, W.1.

This 11th October, 1918.

Dear Mr. Wolf,—In answer to your letter of 18th September of this year, I can tell you that you have well understood my proposal. I mean that all Jews born in Roumania, and not having claimed foreign protection themselves, will be considered as Roumanians with equal rights like all other Roumanians, even if their fathers would have been under foreign protection.

This is the principle which in my opinion will wipe for ever the Jewish question from the annals of Roumania.

I hope this statement is clear, and will satisfy you.

Yours truly,  
TAKE JONESCUS.

(d) FINLAND.

(*The Anglo-Jewish Association to the Secretary of State.*)

January 17th, 1918.

Sir,—In connection with the proposed recognition of the independence of Finland by His Majesty's Government, I am desired by the President of my Committee to bring to your notice the following facts relating to the situation of the Jews in that country.

As in other portions of the Russian Empire, the Jews of Finland were long subjected to severe disabilities. After the Revolution of last March, the Russian Provisional Government unconditionally restored the ancient autonomous privileges of the Grand Duchy, but at the same time the hope was expressed that the Finnish Constitution would be amended to bring it into accord with the liberal principles proclaimed by the new Government of the Suzerain State. This hope has not been fulfilled. Political disabilities weighing on all persons not conforming with the dominant Lutheran religion—including, I believe, non-Lutheran Protestants—have been maintained, and the only concession made has been the adoption by the Diet, last April, of a Bill permitting Jews, native or foreign, to acquire Finnish citizenship on the same conditions as Russian citizens or foreigners respectively, while the rights attaching to such citizenship were assimilated to the limited rights of members of other non-Lutheran communities.

Thus the Jews in Finland, in common with other Finnish Nonconformists, are subjected to disabilities on account of their religion; and Mr. Montefiore is of opinion that, in pursuance of the policy adopted by His Majesty's Government in all analogous cases since the recognition of the Greek Kingdom of 1830, the independence of Finland should not be recognised until the Government of that country engages to confer equal civil and political rights on all its subjects, irrespective of their religious belief.

It will be a great relief to the Jewish community to know that this matter will be borne in mind by His Majesty's Government, more especially as the circumstances in which the independence of Finland may be recognised will be cited as a precedent in the larger and far more important cases of Poland, the Ukraine, and the eventual enlargement of Roumania.

I have the honour to be, Sir,

Your most obedient humble Servant,

LUCIEN WOLF.

To the Rt. Hon. the Secretary of State  
for Foreign Affairs.

**No. 18.**

(*Note of an Interview with Mr. Lorenzo Kihlman.*)

January 29, 1918.

Mr. L. Kihlman, late Attorney-General in the Grand Duchy and a member of the Finnish Delegation now in this country, called upon me to-day.

I told Mr. Kihlman that the Jews were not satisfied with the Emancipation Act passed by the Finnish Diet last April, and recently sanctioned by the Finnish Government. It was true that the Act abolished all the specific Jewish disabilities, but it did not give them the full civil and political rights of Finns. This appeared from Clause 2 of the Act, which, in regard to "the public service and public functions," assimilated the Jews to other non-Lutheran communities—that is to say, subjected them to the disabilities still weighing on members of all those communities. What the Jews wanted was not so much to be freed from these disabilities, as the abolition of all disabilities affecting religious dissenters—in short, a régime of complete civil and political equality in Finland, irrespective of differences of creed.

Mr. Kihlman said that the construction I placed on the Act had taken him by surprise. His impression was that the object of Clause 2 was only to prevent Jews, like other Nonconformists, from being appointed to ecclesiastical offices and benefices in the State Lutheran Church, and to theological Professorships and similar positions.

I replied that, so far as my information went, that was not the case, and it did not seem to be borne out by the wording of the Act. I was assured, for example, that the Finnish Council of State and the Ministry were closed to non-Lutherans.

Mr. Kihlman confessed that he was not quite sure what the situation was, but he promised that he would at once take steps to obtain full information. At any rate, he added, he was sure that we might rely upon the Finns giving every satisfaction to the principle of civil and religious liberty. Indeed, a Bill was now before the Diet, in which it was proposed to assure equal civil and political rights to all Finnish nationals, irrespective of their religious belief.

I said that if that Bill was passed the Jews of this country would be perfectly satisfied, but that, without such an assurance, they would have no alternative but to continue the measures of precaution which, as he was aware, they had already taken.

L. W.

**No. 19.**

(*Mr. Lorenzo Kihlman to Mr. Lucien Wolf.*)

Délégation Finlandaise.

Berkeley Hotel,

February 1st, 1918.

Dear Sir,—With reference to our recent conversation, I beg to inform you that whereas, according to Paragraph 1 of the *Form of Government* of 1772, membership of the Lutheran Church was a *conditio sine qua non* for holding public office in Finland, this is now changed through the Law of November 11, 1889, which reserves for Lutherans only such posts as teachers as involve teaching work having as its basis the profession of the Lutheran Faith. Granting to the Jews in Finland the same rights as belong to all non-Lutheran Christians in Finland cannot therefore be said to involve any real hardship on the former.

Yours very truly,

LORENZO KIHLMAN.

Lucien Wolf, Esq.

**No. 20.**

(*Mr. Lucien Wolf to Mr. Lorenzo Kihlman.*)

February 4th, 1918.

Dear Sir,—I am much obliged to you for your letter of the 1st inst., and for the information you are good enough to give me in regard to the rights of Jews in Finland. I should tell you that I have a letter from Stockholm in which it is definitely stated that, under the Finnish Constitution, non-Lutherans are excluded from the Council of State and from Ministerial office. Do I understand from you that this is inaccurate, and that no civil or political disabilities whatever are imposed upon non-Lutherans?

There is one further point upon which I should like to say a word or two. The reference to "Jews" in the Bill of last April as a category of the population similar to Russians and other foreigners seems to me to make an unnecessary distinction. The Jews are a religious community like the Roman Catholics or the Orthodox Greeks. They are either native Finns, or they are foreign nationals of some other country. In both cases they ought to be treated on the same level as their fellow-countrymen. To make special arrangements for them as Jews is contrary to the spirit of all modern legislation. In this case, indeed, it is likely to create a situation analogous to that which exists in Roumania, where, despite the Treaties of 1856 and 1878, the Jews as such are held to be foreigners.

It seems to me that all apprehensions and misunderstandings in this matter would be removed if—as you were good enough to suggest when I had the pleasure of seeing you last week—the Finnish Diet were to adopt an Act declaring "that all the subjects of the State, whatever may be their religion, shall be admissible to all public employments, functions, and honours, and be treated on the footing of a perfect equality, without regard to difference of creed, in all their relations, religious or political." This, I may state, was one of the conditions on which the independence of Greece was recognised by the Great Powers in 1830.

I have the honour to be,

Dear Sir,

Very faithfully yours,

LUCIEN WOLF.

Lorenzo Kihlman, Esq.,  
The Finnish Delegation.

**No. 21.**

(*Mr. Oliphant to Mr. Lucien Wolf.*)

Foreign Office,

February 21st, 1918.

Dear Mr. Wolf,—I am sorry that it has not been possible to answer your letter of the 11th earlier.

The situation in Finland is so uncertain that there will probably be no opportunity of raising the question in which you are interested, but you may rest assured that it will not be lost sight of.

Yours sincerely,

LANCELOT OLIPHANT.

(*Mr. Lucien Wolf to Mr. Lancelot Oliphant.*)

22nd February, 1918.

Dear Mr. Oliphant,—Very many thanks for your note of yesterday's date. I quite understand the difficulty, and you may rest assured that my Committee have no desire to press the Foreign Office. As a matter of fact, we are not anxious so much about Finland as about the general principle involved—that is, that no new State, or transfer of territory, which may emerge from the present War, shall be recognised by His Majesty's Government unless full guarantees for religious liberty, and the civil and political equality of all religious denominations, are given. It is from that point of view that we would wish the question to be borne in mind.

Believe me,

Very faithfully yours,

LUCIEN WOLF.

(e) ALLIED WAR AIMS.

(*The Joint Foreign Committee to the Secretary of State.*)

June 18th, 1918.

Sir,—The attention of the Joint Foreign Committee has been called to some uneasiness which is alleged to prevail among the large Jewish communities of Eastern and South-Eastern Europe as to the attitude of His Majesty's Government, and of the Governments of the Allies, in regard to their long-standing claims for civil and political emancipation. We have accordingly been instructed to submit to you the following observations on behalf of the Committee.

Our correspondents point out that while the grievances of certain oppressed nationalities, such as the Poles, the Serbs, and the Czechs, have been specifically espoused in the Statements of War Aims issued by the Allied Governments, and their full redress has been promised, no similar account has been taken of the Eastern Jews, though they are almost as numerous as any of the above-mentioned nationalities; while the oppression and persecution they have suffered—and in many cases still suffer—have been far worse than those of any other nationality or religious community.

It is true that in November last His Majesty's Government issued the Declaration concerning Palestine, which has since received the adhesion of the French and Italian Governments. This manifestation of sympathy with one aspect of Jewish needs and ideals has evoked feelings of gratitude from Jews all over the world, but, unfortunately, it touches only in a very limited measure the practical necessities of the Jewish problem. We are assured that a large majority of the Jews in Eastern and South-Eastern Europe desire to, and must necessarily, remain in their native lands, and they are therefore primarily interested in the safeguarding of their religious and cultural interests and in the improvement of their civil and political condition in those lands. Moreover, they have been not a little alarmed by the interpretation given to the Palestine Declaration by the Anti-Semites of Poland and Roumania, who affect to regard it as an invitation to solve the Jewish question by emigration, and thus as dispensing them from attempting any other solution.

In these circumstances we venture to suggest for the consideration of His Majesty's Government that a supplementary Declaration be issued assuring the oppressed Jews of all countries that their complete religious, civil, and political

emancipation on a footing of equality with their fellow-citizens is included among the essential ends for which this country is striving in the present War.

We should have hesitated to approach His Majesty's Government at this critical moment were it not that we are convinced that our proposal is as much calculated to serve the interests of the Allies as those of our oppressed co-religionists. For our part, we are sure that when the time arrives for the dictation of terms of peace the just claims of the Jews will not be ignored by His Majesty's Government. We think, however, that all doubts on this point should be cleared up now; as by that means the power of the Allies in the prosecution of the War must be sensibly strengthened. The active sympathies of some 7,000,000 Jews distributed all over the vast war zone of Eastern Europe cannot be a matter of indifference to the Allied Governments. These sympathies have been too long left at the mercy of the Central Powers, who have neglected no opportunity of conciliating them by more or less plausible concessions and promises. Nevertheless, it will not require much to counteract the comparatively favourable impression produced among them by such specious bribes as the Jewish clauses of the Treaty of Bucharest, the partial emancipation of the Polish Jews under the German Local Self-Government Order, and the promise of the German and Austrian Governments to support the cause of Jewish National Autonomy throughout Eastern Europe; and we feel certain that this will be easily accomplished by a Declaration in the form we have suggested, more especially as it has always been a fixed tradition with Jews in every country to look to the democracies of Great Britain, France, and America to compass their freedom.

We would further venture to urge that the present meeting of the Imperial War Cabinet affords a good opportunity for the issue of such a Declaration.

We have the honour to be, Sir,  
Your most obedient humble Servants,

STUART M. SAMUEL,  
President, Board of Deputies  
of British Jews.

CLAUDE G. MONTEFIORE,  
President, Anglo-Jewish  
Association.

The Right Honourable A. J. Balfour, P.C., M.P., etc.  
H. M. Secretary of State for Foreign Affairs.

**No. 24.**

(Sir Ronald Graham to the Joint Foreign Committee.)

Foreign Office,  
June 28th, 1918.

Sir,—With reference to your letter of the 18th instant, relative to the position of Jews in foreign countries, I am directed by Mr. Secretary Balfour to assure you that, as has already been stated publicly, His Majesty's Government have the closest sympathy with the emancipation of the Jews in Eastern and South-Eastern Europe, and are anxious to do everything in their power to secure a just and permanent settlement of the Jewish question throughout the regions concerned.

I am, Sir,  
Your most obedient humble Servant,

R. GRAHAM.

Lucien Wolf, Esq.

## APPENDIX III.

### DOCUMENTS RELATING TO THE PEACE CONFERENCE.

#### (a) APPOINTMENT OF THE DELEGATION.

#### No. 25.

(Extract from *Minutes of the Joint Foreign Committee dated November 14, 1918.*)

Resolved that the following plan of action in regard to the Peace Conference be adopted, and that the necessary documents be forthwith prepared:—

(1) That a letter be addressed to the Secretary of State for Foreign Affairs formulating the requirements of the Jewish Communities of Eastern and South-Eastern Europe in connection with the scheme of European reconstruction to be adopted by the Peace Conference, this letter to take the form of a supplement to the letter of the Committee addressed to the Secretary of State on October 1, 1916.

(2) That the letter be accompanied by short statements of the nature and posture of the Jewish Question in the various countries affected, and any other documents that may be necessary to support the case put forward by the Committee.

(3) That the following further statements be prepared and held in reserve for use at the Peace Conference should they become necessary:—

(a) A special memorandum on the Polish Jewish Question.

(b) A collection of the diplomatic correspondence on the Roumanian Jewish Question.

(c) A statement in vindication of the patriotism and civic qualities of the Russian and Polish Jews.

(4) That a delegation of the Joint Committee, accompanied by a suitable secretariat, shall proceed to the seat of the Peace Conference and act together with similar delegations from the Alliance Israélite, the American Jewish Committee and the Jewish Committee of Rome in watching Jewish interests and more especially in promoting before the Conference adequate measures for the emancipation of the Jews in all countries where they still labour under political, civil and economic disabilities.

Reported that the Jewish Historical Society of England has prepared a volume of classified and annotated State Papers illustrative of the international aspects of the Jewish Question during the last 150 years, with a view to its presentation to the Peace Conference by the organisations representing the Jewish communities. The book is in the press, and copies will be available almost immediately. Arrangements have been made for the supply of an adequate number of copies to the Joint Committee.

**No. 26.**

*(The Joint Foreign Committee to the Right Hon. A. J. Balfour, etc.)*

December 2, 1918.

Sir,—The Joint Foreign Committee of the Board of Deputies of British Jews and the Anglo-Jewish Association, representing all the leading Jewish congregations in the British Empire and many other important Jewish organisations, have directed us to address you on the Jewish Questions arising out of the great work of political reconstruction in Eastern Europe and Western Asia which will shortly engage the deliberations of His Majesty's Government and their Allies at the approaching Peace Conference.

On the 1st October, 1916, at the request of your predecessor, the Right Hon. Viscount Grey, our Committee had the honour of submitting to His Majesty's Government a statement of their considered views on these questions as they then presented themselves. The political changes which have taken place since then—chiefly the Russian Revolution and its consequences—and the more clearly defined lines on which the work of reconstruction will proceed, render it necessary for us to amplify and amend that statement in certain particulars. In the main, however, the views of the Committee remain unchanged, and we have accordingly annexed to this letter a copy of the statement and its enclosures in which they were embodied two years ago.

The outstanding characteristic of the new Jewish situation created by the Russian Revolution and by the complete triumph of the Allies over the Central Powers is that, for the first time, the democratic nations of Western Europe and America have the solution of the Jewish question in their own hands. In 1916 the Russian Empire still existed. Its territories were intact, and all their resources were ranged on the side of the Allies. In these circumstances, the utmost that could be hoped for the large Jewish population of that country was that some mitigation of the oppressive conditions under which they laboured might be secured by the spontaneous clemency of the Imperial Government or through the friendly representations of their Allies; and even this was doubtful. In Roumania, where similar Jewish conditions prevailed, the Allies were also unable to bring effective pressure to bear on the Government and people with a view to a complete solution of the Jewish question. All this is now changed. The great task of reconstruction on which the Powers will embark finds all their liberal impulses unfettered, and covers the whole field in which for centuries one-half of the Jewish race have been subjected to unparalleled degradation and suffering. Russia, plunged into chaos by the Bolsheviks, awaits order and reorganisation at the hands of the Allied Powers. Great Russia itself is dependent upon their advice and help, and will require their formal recognition when a stable government is established. A new Poland, and probably other independent or autonomous States, are to be created on its Western boundaries, and those, too, will be subject to such conditions of good government as the Allies may decide to impose. A Greater Roumania is another inevitable consequence of the victory of the Allies, and this again affords an opportunity for the imposition of such conditions as will enable the sorely tried Jewish population of that country to co-operate as free Roumanian citizens in the consolidation and development of their reunited Fatherland.

The form in which these conditions may best be set forth, in order to meet the needs of the Jewish communities of those and other new and enlarged States, and generally to secure those States in the future against the perils of inter-racial and inter-confessional conflict, has engaged the earnest consideration of our Committee. A similar problem confronted the Powers at the Congress of Berlin in connection with the reconstruction of the Danubian and Balkan Principalities, and a formula was then adopted which, in the majority of cases, proved eminently successful. Unfortunately this formula does not respond to all the

exigencies of the Jewish problem in the countries with which the Powers will now have to deal. It treated the question as exclusively one of difference of religious creed between the nationals of a given State, but omitted to give any definition of nationality. The result was that it afforded the Anti-Semites an opportunity of differentiating between Jews and Christians by arbitrarily excluding Jews from the local nationality, and relegating them to an abnormal category of Stateless aliens. Thus their situation was rendered even worse than it was before, for they became veritable outcasts, without protection either in national or international law. It was in this way that in Roumania the provisions of the Treaty of Berlin were successfully evaded. There are ominous symptoms that similar tactics may be pursued in Poland and Finland, where under a narrow and intolerant conception of national homogeneity the teachings of German Anti-Semitism have lately made great strides, and have even resulted in deplorable outrages. Against this danger it is important to provide.

Another need of which account must be taken is the new and intense desire of all the different ethnographic minorities in Eastern Europe to preserve their cultural identity. In almost all the new States there will be a number of such minorities. This will be especially the case with the enlarged Poland, where probably one-third of the population will be composed of Jews, Letts, Lithuanians, Ruthenians, White Russians, and Germans. A similar situation is found in the Ukraine and also in other regions which will come within the reconstructing activities of the Powers. The great bulk of the Jews in these countries share the desire for cultural autonomy, and the bias of the best local statesmanship is in favour of granting it. What is called "National Autonomy" has been adopted as a fundamental principle by all the democratic parties in Great Russia, and a scheme to give effect to it was embodied in the Constitution by the Republican Rada of the Ukraine.

In view of these new factors of the problem under discussion, our Committee think that an amended version of the Civil and Religious Liberty clauses of the Treaty of Berlin will be necessary in the new Treaty of Peace, and they respectfully suggest the following text—taking Poland as a typical case—for the consideration of His Majesty's Government:—

All persons born in the territories forming the new Republic of Poland, who do not claim to be subjects of foreign States, and all subjects of the States to which these territories formerly belonged, who are permanently domiciled in those territories, and who do not desire to retain their present nationality, shall be deemed to be citizens of the Polish State, and shall enjoy equal political and civil rights without distinction of race, language or religion.

The freedom and outward exercise of all forms of worship shall be assured to all persons belonging to the Polish State, as well as to foreigners, and no hindrance shall be offered either to the hierarchical organisation of the different communions, or to their relations with their spiritual chiefs.

All religious and cultural minorities in Poland shall be secured in the autonomous management of their religious, educational, charitable, and other cultural institutions, provided always that the Polish language shall be made an obligatory subject of instruction in their schools.

Differences of race or religious creed shall not be alleged against any person as a ground for exclusion or incapacity in matters relating to admission to public employments, functions, and honours, or to public schools, universities, educational endowments, and the exercise of the various professions and industries in any locality whatever.

The subjects and citizens of all the Powers, traders or others, shall be treated in Poland, without distinction of creed, on a footing of perfect equality.

This formula, in the opinion of our Committee, would *mutatis mutandis* cover the majority of cases of new States and transfers of territory contemplated by the Allies, and we desire to substitute it for numbers 1, 2 and 3 of the recommendations respectfully submitted to Viscount Grey in our above-mentioned Statement of the 1st October, 1916.

There are, however, two cases in which further precautions may be necessary. We cannot ignore the bitter feeling which, for party or class purposes, has been artificially stirred up against the Jews in Poland and Roumania, and which has even lately manifested itself in the most sinister forms. It would be unwise as well as cruel to leave to the Anti-Semites in those countries any loophole through which they could continue the persecution of the large local Jewish populations, and thus perpetuate discords which might also prove fatal to the stable evolution of those States.

In the case of Poland we therefore wish to propose three further stipulations. The first relates to the repatriation of the Jewish fugitives who, partly through the havoc wrought by the contending Armies in the Eastern War zone and partly through the barbarous deportations carried out by the Russian and German military authorities, have sought a refuge in other provinces. In pursuance of the policy openly advocated by the Polish National Democratic Party, which seems to aim at the forcible elimination or reduction of the Jewish population, the return of these fugitives is already being obstructed. We trust that this conduct will be sternly discountenanced by the Powers, and that guarantees for the free repatriation of all fugitives and their restoration to their homes and properties will be exacted from the Polish Government.

Another hateful form of persecution, not covered by the above formula, is the organised economic boycott of the Jews which, at the instance of the same political party, has been in baleful operation throughout Poland during the last six years. The object of this boycott is avowedly to compel the Jews to emigrate, not because their economic activities are in any sense reprehensible, but solely because it is desired to nationalise Polish trade and industry in a narrow racial sense. This is not only a cruel injustice to a law-abiding and hard-working community, which has been settled in the country for over seven centuries, but it is calculated to set in motion vast streams of indigent emigration which can only prove an embarrassment to other countries, and more especially to Great Britain and the United States of America. The Peace Conference, we feel convinced, will not fail to manifest its strong disapproval of this persecution once its attention has been directed to it.

A third point on which the Polish Jews feel very strongly, and which they regard as vital to their economic interests, relates to Sunday trading. They are in the habit of abstaining from all labour on the Saturday Sabbath, and they are consequently anxious to be permitted, where they live in great masses, to carry on their businesses on the Sunday. But for the unhappy relations which exist at this moment between Jews and certain sections of non-Jews in Poland, this question, which is essentially one of internal administration, might well be left to be solved by the nation itself. It affords, however, so obvious an instrument for the economic persecution favoured by the Anti-Semites that we feel bound to seek the intervention of the Powers for its reasonable adjustment.

Poland can only benefit by the removal of all these grievances, inasmuch as it will pave the way to a conciliation which is earnestly desired by moderate men of all parties in the country, and which will prove a factor of the first importance in the consolidation and development of the happily resuscitated State.

With regard to Roumania, the supplementary proposal we are instructed to submit to His Majesty's Government relates to the guarantee to be exacted for the prompt fulfilment of the stipulations of the Treaty of Peace respecting

Jewish emancipation. The necessity for such a guarantee is sufficiently illustrated by the unhappy fate of Article XLIV. of the Treaty of Berlin, of which full details will be found in the Memorandum on this subject annexed to our Statement of the 1st October, 1916. Roumania has not wanted for loyal and liberal statesmen who were anxious to redeem the pledges of their country in this respect, but they were overborne by the demagogic anti-Semitism of their constituents due almost entirely to commercial rivalry with the Jews. That this difficulty is likely to repeat itself is shown by the fact that the Roumanian Legislature has had ample opportunity of late to deal with the question, and that men like Monsieur Take Jonescu have publicly avowed their desire to do so, but the old persecuting forces have proved too strong for them. The solution of the question is thus once more left to the Great Powers, and hence it must be their task to see that this time it is imposed in such a form as to leave no possibility of its evasion. We regret that it should be necessary to apply even a semblance of coercion to a gallant Ally, whose sacrifices for the common cause have earned her so much glory, but in doing so the Powers will, we think, only strengthen the hands of their best friends in that country and the best friends of Roumania herself. Moreover, it must be remembered that the vindication of the sanctity of Treaties has been one of the chief moral aims of the Allies in the late War, and they owe it to Roumania that she shall be no longer compromised in this respect by the misguided elements of her population. The guarantee we are instructed to propose is that no enlargement of the present frontiers of Roumania shall be sanctioned until all the laws necessary to give effect to the stipulations of the Powers relative to Jewish emancipation have been duly enacted. In the opinion of our Committee this guarantee is imperative, not only for the reasons set forth above, but also because the territories which it is proposed to annex to Roumania contain a Jewish population of four hundred thousand souls, who are at present in the enjoyment of full political and civil rights, and it is inadmissible that these rights should be liable to any risk of diminution.

The only remaining question referred to in our Statement of the 1st October, 1916, was that of Palestine. In view of the Declaration of His Majesty's Government of November 2, 1917, we do not now desire to press the formula we then proposed, but we reserve to ourselves the privilege of addressing you further on this important subject should we receive instructions to that effect from our Committee and its parent bodies.

In respectfully commending this restatement of the views of our Committee to the favourable consideration of His Majesty's Government we have to express the fervent hope of our constituents and of many millions of our co-religionists throughout the world that, under the exalted guidance of the statesmen of the Entente Powers, the approaching Peace Conference may be led to seize the golden opportunity which now presents itself of solving the Jewish question once and for all. That question, both in magnitude and in the poignancy of the evils which have given rise to it, is one of the worst blots on the civilisation of the Western world. The number of its victims—some seven millions—is equal to that of any of the enslaved nationalities, with the single exception of the Poles, whose liberation has been made one of the chief war aims of the Allies, while the terrible cruelties they have so long and patiently endured have no parallel in the sufferings of any of those nationalities. We need not point out how serious an element of social unrest and even of political instability it has proved, for that, after all, is a subsidiary consideration. The final solution of the question is called for on higher grounds—as an urgent duty of humanity and as a vindication of the ideals of our civilisation. As such we trust it will take its place among

the foremost preoccupations of the nations whose task it now is to establish a reign of real liberty and justice in Europe.

We are, Sir,

Your most obedient humble Servants,

**STUART M. SAMUEL,**

President of the Board of Deputies of British  
Jews.

**CLAUDE G. MONTEFIORE,**

President of the Anglo-Jewish Association.

**ROTHSCHILD,**

Vice-President of the Board of Deputies of British  
Jews.

**SWAYTHLING,**

Council of the Anglo-Jewish Association.

To the **RIGHT HON. A. J. BALFOUR, M.P., etc.,**

His Majesty's Principal Secretary of State for Foreign Affairs,  
etc., etc., etc.

(Annexe 1. See *supra*, Appendix II., Nos. 2 and 4, pp. 41—60.)

**NO. 27.**

(*Sir Ronald Graham to the Joint Committee.*)

Foreign Office,

December 19th, 1918.

Sir,—I am directed by Mr. Secretary Balfour to acknowledge the receipt of your letter of the 3rd instant enclosing a Memorial on Jewish questions, and to inform you that it is the earnest desire of His Majesty's Government to see equal rights extended to Jews in all countries.

I am, Sir,

Your most obedient humble Servant,

R. GRAHAM.

Lucien Wolf, Esq.

**NO. 28.**

(*The Joint Committee to Mr. Lucien Wolf.*)

13th December, 1918.

Dear Mr. Wolf,—In accordance with the Resolution adopted by the Committee at its meeting last Wednesday, we have to instruct you to proceed to Paris with the necessary clerical assistants to watch the Jewish Questions which may come before the Peace Conference in the terms of the letter we addressed to the Secretary of State for Foreign Affairs on the 2nd instant.

Pending the appointment of delegates by our Committee you are authorised to take all the steps you may think necessary in accord with the Committee of the Alliance Israelite and the Delegations of the American and Italian Jewish Communities to secure the eventual adoption by the Peace Conference of the proposals set forth in the above-mentioned letter. You will not agree to any essential modification of those proposals from whatever source it may be proposed to you without previous reference to us.

We are,

faithfully yours,

**STUART M. SAMUEL,**

President of the Jewish Board of Deputies.

**CLAUDE G. MONTEFIORE,**

President of the Anglo-Jewish Association.

(b) THE MEMORIALS.

**No. 29.**

(*Sir Stuart M. Samuel to Mr. Lucien Wolf: Telegram.*)

20 Feb., 1919.

Presidents approve presentation Memorial with addition advised.

STUART SAMUEL.

**No. 30.**

(*Joint Delegation to the Peace Conference.*)

Delegation of the Jews of the British Empire,

Paris, February 21st, 1919.

To their Excellencies the President and Members of the Peace Conference.

The undersigned, duly authorised by the instructions of the Presidents of the Joint Foreign Committee of the Board of Deputies of British Jews and the Anglo-Jewish Association, under date of December 13, 1918, has the honour to submit the following communication to their Excellencies the Plenipotentiaries of the Great Powers now assembled in Paris:—

Since 1814 it has been a fixed tradition of European statecraft to attach certain moral conditions, relating more especially to Civil and Religious Liberty, to all creations of new States or other changes of political geography sanctioned by the Concert of the Great Powers. These conditions have been enlarged or modified to suit the circumstances of the times or the requirements of special cases, but in substance they have remained unchanged. The present Peace Conference, engaged on a great work of political and territorial reconstruction in Europe, will assuredly desire to reformulate these conditions, as part and parcel of the moral basis of the Treaty of Peace.

Accordingly, the undersigned begs most respectfully to submit to their Excellencies the Plenipotentiaries of the Great Powers the following draft of an Article to be inserted in each chapter of the Treaty which deals with the creation of a new, or the enlargement of an old, State in Eastern Europe and Western Asia, or with any other case in which such conditions of good government may appear to be necessary:—

“ All persons born in the territories forming the Kingdom (or Republic) of , who do not claim to be subjects of Foreign States, and all subjects of the States to which those territories formerly belonged, who are permanently domiciled in those territories, and who do not desire to retain their present nationality, shall be deemed to be citizens of the State and shall enjoy equal political and civil rights, without distinction of race, language or religion.

" The freedom and outward exercise of all forms of worship shall be assured to all persons belonging to the State, as well as to foreigners, and no hindrance shall be offered either to the hierarchical organisation of the different communions, or to their relations with their spiritual chiefs.

" All religious and cultural minorities in shall be secured, on a footing of equality, in the autonomous management of their religious, educational, charitable and other cultural institutions, provided always that the language shall be made an obligatory subject of instruction in their schools.

" Differences of race or religious creed shall not be alleged against any person as a ground for exclusion, or incapacity in matters relating to admission to public employments, functions and honours, or to public schools, universities and educational endowments, and the exercise of the various professions and industries in any locality whatever.

" The subjects and citizens of all the Powers, traders or others, shall be treated in without distinction of creed, race or language, on a footing of perfect equality.

" Any persons or communities who may suffer from the non-observance of any provisions of this Article shall have the right to submit their complaints to the Executive Committee of the League of Nations, and to seek the protection of that body."

Should their Excellencies the Plenipotentiaries of the Great Powers entertain this proposal, the undersigned is instructed to suggest that it shall be referred to a Special Commission in the same way as territorial questions are now being dealt with by the Conference. The Joint Foreign Committee will, in that case, be prepared to submit to the Council of the Great Powers or to the Special Commission, or both, the full case for such of the proposals contained in the above draft Article as involve changes in the similar formula adopted by the Congress of Berlin in 1878. They will also be prepared to submit supplementary Articles dealing with the special requirements of religious, racial and cultural minorities in cases not covered by the above general formula.

For the further elucidation of the questions raised in the above draft Article, the undersigned begs to enclose the following documents: (1) Copy of a Memorial addressed to the Right Hon. A. J. Balfour by the Joint Foreign Committee on December 2, 1918, with annexures. (2) A volume of diplomatic texts relating to the International aspects of the Jewish Question.

LUCIEN WOLF,  
Secretary and Special Delegate *ad interim* of the Joint  
Foreign Committee of the Board of Deputies of British  
Jews and the Anglo-Jewish Association.

NOTE: The Joint Foreign Committee is the only body elected to deal with Foreign Affairs on behalf of the Anglo-Jewish Community. Through its parent bodies it represents all the leading Jewish congregations and other societies in the British Empire with a membership of about 80,000, the majority of whom are heads of families. Its Delegation to the Peace Conference consists of Sir Stuart M. Samuel, Bart., and Lord Rothschild for the Board of Deputies, and Claude G. Montefiore, Esq., and Lord Swaythling for the Anglo-Jewish Association.

Délégation des Israélites de l'Empire Britannique,  
Paris, le 21 Février, 1919.

Monsieur le Président,  
Messieurs les Membres de la Conférence de la Paix.

Dans la séance du Congrès de Berlin du 1er juillet, 1878, M. Waddington, premier plénipotentiaire de la France, proposa que "les mêmes conditions d'ordre politique et religieux indiquées pour la Serbie soient également imposées à l'Etat roumain." Dans le développement de cette motion, M. Waddington déclara avec précision que son but était de faire conférer aux Juifs de Roumanie des droits identiques à ceux des Roumains de religion chrétienne.

Lorsque, dans la séance du 10 juillet, on donna lecture au Congrès du texte de l'Art. XLIV qui établit "qu'en Roumanie la distinction des croyances religieuses et des confessions ne pourra être opposée à personne comme un motif d'exclusion ou d'incapacité en ce qui concerne la jouissance des droits civils et politiques, le Comte de Launay, un des plénipotentiaires italiens, "dans le but de prévenir tout malentendu" proposa l'insertion de la phrase suivante:—

"Les Israélites de Roumanie, pour autant qu'ils n'appartiennent pas à une nationalité étrangère, acquièrent de plein droit la nationalité roumaine."

Le Prince de Bismarck s'opposa au vote de cette motion, le considérant comme "une tentative de revenir sur le fond."

Néanmoins, il ne pouvait exister aucun doute sur la volonté du Congrès d'exiger de la Roumanie l'émancipation complète des Israélites. La Roumanie s'y était engagée, mais elle éluda ses promesses, et, au moment où éclata la guerre de 1914, la situation légale des Israélites était la même, plus grave encore qu'en 1878.

Connaissant les dispositions des Alliés sur cette question, les sachant résolus à faire reconnaître les droits des Israélites, le gouvernement roumain crut prévenir leur initiative en publiant, à la date du 28 décembre, 1918, un décret-loi qui autorise les "habitants du royaume, majeurs, sans distinction de religion et qui n'ont pas joui de la plénitude des droits de cité" à demander l'obtention de ces droits en faisant la preuve "qu'ils sont nés en Roumanie et qu'ils n'ont jamais été sujets d'un Etat étranger." La demande doit être produite devant le tribunal par l'intéressé et le jugement est rendu par un seul juge en Chambre de Conseil.

Dans tous les pays d'Europe et d'Amérique, l'émancipation des Juifs a été réalisée par un acte collectif du pouvoir souverain, leur conférant automatiquement les droits de citoyen. La Roumanie refuse de suivre cette voie; elle entend n'octroyer que des naturalisations individuelles, faire examiner chaque demande à part et en laisser la solution à la libre volonté d'un juge, statuant en Chambre de Conseil, sans même entendre l'intéressé. Elle oblige les Juifs à fournir la preuve, à peu près impossible à administrer, d'un fait négatif, celui de n'avoir jamais été sujet d'une puissance étrangère.

Par cette procédure anormale et par les conditions qui y sont mises le gouvernement roumain montre une fois de plus qu'il ne veut pas résoudre la question juive dans l'esprit et dans la manière que désire l'Europe.

*L'Union des Israélites indigènes*, qui représente l'ensemble du Judaïsme roumain, a vivement protesté contre les dispositions du décret-loi du 28 décembre, 1918; elle déclare "que le nouveau décret n'est pas une loi sociale pouvant profiter à la masse de la population juive. C'est une loi de faveur uniquement pour quelques privilégiés disposant de temps et de ressources matérielles; et elle attend une loi d'émancipation générale de tous les Juifs indigènes sauf autre forme de procédure qu'une simple manifestation de volonté."

Les Israélites du monde entier s'associent à cette protestation et demandent,

en conséquence, à la Conférence de la Paix de résoudre elle-même la question des Israélites de Roumanie par l'adoption de la motion suivante :

“ Sont déclarés citoyens roumains tous les Juifs nés ou habitant sur le territoire de la Roumanie, à l'exception de ceux qui, inscrits sur les registres des Consulats étrangers, appartiennent à une nationalité étrangère. La preuve à faire de cette nationalité étrangère incombe au gouvernement roumain.”

Agréez, Monsieur le Président, Messieurs les Plénipotentiaires, l'hommage de mon profond respect.

LUCIEN WOLF,

Secrétaire et Délégué Spécial *ad interim* du Joint Foreign Committee of the Board of Deputies of British Jews and the Anglo-Jewish Association.

[Memorials in the same terms were presented to the Peace Conference on the same date by the Alliance Israélite Universelle of Paris.]

**No. 32.**

(*Mr. Ian Malcolm to Mr. Lucien Wolf.*)

British Delegation, Paris, 24th February, 1919.

Dear Sir,—Mr. Balfour desires me to thank you for your communication of February 21st, and for the copies of the two Memorials which you have addressed to the Peace Conference. To these, I need hardly say, he will give the closest consideration.

Believe me,

Yours faithfully,

IAN MALCOLM.

**No. 33.**

(*M. George Sydorenko to Mr. Lucien Wolf.*)

Delegation of the Ukrainian Republic.

Paris, March 25, 1919.

Dear Sir,—I have to acknowledge with thanks the receipt of your letter of 21st March, enclosing copy of the Memorial addressed by you to the Peace Conference on behalf of the Jewish Joint Foreign Committee.

Having considered the views expressed in your memorial in co-operation with Dr. Zarchi, the official member of the Delegation of the Ukrainian Republic in Paris, I need scarcely tell you that your memorial will find in the Ukraine the fullest sympathy.

The Ukrainians as a nation, having suffered centuries-long oppression, owing to the Russian *régime*, takes very near to heart the claims of another still more oppressed nation—the Jews, who for centuries have been subjected to still greater sufferings and political and social degradation. The Ukrainian nation has always supported the Jews in their fight for their full emancipation.

In the first days of its existence as an independent State the Government of the Ukrainian Republic has already embodied in its Constitution a provision for “National personal autonomy,” which has been passed by the Ukrainian Parliament—the Central Rada. In this case the Ukraine has been the first State in Eastern Europe to grant complete liberty and equality to its Jewish subjects, and to recognise their right to national autonomy on an equal footing with all other nationalities dwelling within the territories of the Republic.

I am sure, therefore, that my Government will give its fullest support to your memorial before the Peace Conference.

Assuring you of my best wishes and my hearty co-operation,

I beg to remain, Yours very truly,

GEORGE SYDORENKO,

The President of the Delegation of the  
Ukrainian Republic.

Lucien Wolf, Esq.

(*Mr. Lucien Wolf to Mr. E. H. Carr.*)

Delegation of the Jews of the British Empire.

Paris, May 14th, 1919.

Sir,—In the Memorial of February 21, 1919, which I had the honour of addressing to the Peace Conference on behalf of my Delegation, I stated that in the event of a Committee being appointed to consider the general formula of Civil and Religious Liberty therein contained, my Delegation would be “prepared to submit supplementary Articles dealing with the special requirements of religious, racial, and cultural Minorities in cases not covered by the above general formula.”

Such a Committee having now been appointed, I shall be glad if you will be good enough to bring before them the following observations on the special requirements of the Jewish Minority in Poland.

Three of these requirements, relating respectively to the Repatriation of Jewish Refugees, the Economic Boycott of the Jews, and to Sunday Trading, were dealt with fully in the letter addressed to the Rt. Hon. A. J. Balfour, M.P., by the Joint Foreign Committee on December 2, 1918, a copy of which was annexed to the above-mentioned Memorial. It will then, perhaps, suffice if on these points I ask your Committee to take cognizance of this letter (p. 6), and for that purpose I beg to hand you another copy herewith. In regard to the Boycott, however, I desire to make a further suggestion. It is that the Polish Government shall be required to take measures to prohibit and punish all combinations against racial and religious Minorities in the nature of the boycott complained of. Ample precedents for such measures may be found in the English Law of Conspiracy.

A further important requirement of the Jewish Minority in Poland relates to the free use of the languages which are prevalent among them, and to which they are much attached. These are mainly Hebrew and Yiddish. Under a Polish Law of 1862, the Jews are required to renounce the use of these languages, and contracts, books of accounts, wills, etc., written in these languages are declared to be illegal. The Jews of Poland desire that all restrictions of this nature shall be abolished as an essential part of their status as a racial and religious Minority.

Another question on which they feel considerable anxiety is that of their equitable participation in Parliamentary and Municipal life. They fear that, owing to anti-Semitic agitation, Parliamentary constituencies and schemes of local self-government may be so arranged as to exclude them from the influence and representation which are justly due to their numbers, and this fear has lately given rise to a demand for the organisation of separate Jewish electoral *curiae*. It is, perhaps, difficult to deal with this question in a Treaty, but owing to its importance I venture to express the hope that some means will be found of securing the necessary assurances of fair play from the Polish Government.

Finally, I have to ask that the right of appeal of the Jewish Minority to the League of Nations in cases of violation of the rights conferred upon them under the Treaty shall be supplied with a mechanism which will fully guarantee

its effectiveness. For this purpose it should be stipulated that the Jewish Minority should be entitled to organise itself for the management of its internal affairs, and that to the executive of this organisation shall be entrusted the right of appeal to the League of Nations.

I have the honour to be, Sir,  
Your most obedient humble Servant,

LUCIEN WOLF,

Secretary and Special Delegate *ad interim* of the  
Board of Deputies of British Jews and the Anglo-  
Jewish Association.

E. H. Carr, Esq.,  
Secretary,  
Commission on Minorities,  
The Peace Conference.

**No. 35.**

*(Joint Delegation to Mr. D. Lloyd George.)*

Delegation of the Jews of the British Empire.

Hotel Chatham, Paris.

May 20th, 1919.

Sir,—I am directed by the Delegation of the Jews of the British Empire appointed to watch Jewish interests at the Peace Conference to submit to you the following observations relative to the Treaty with Poland which they understand is now under the consideration of the Supreme Council of the Conference.

The Delegation are convinced that in regard to the general scope of the treatment of Minorities under the Treaty satisfaction will be given to the moderate proposals they had the honour of submitting to the Conference in their Memorial of February 21, 1919, and in their letter to the Commission on Minorities on May 14 last. There are, however, two points to which they attach special importance, and it is in regard to them that I am directed to address you.

The first of these points relates to Sabbath observance and Sunday trading. This is a matter of the most vital importance to both the religious and economic interests of the Jews of Poland. The Delegation do not doubt that ample provision will be made in the Treaty for the observance of the Jewish Sabbath by the Jewish Minority in Poland, but they feel some anxiety as to whether there may not be some hesitation in granting the corresponding concession of Sunday Labour and Trade. It is consequently desirable to place before you the reasons which have prompted the Delegation to ask for this concession. They are as follows:—

1. What is required is not a new privilege but only the confirmation of a right which has hitherto been enjoyed by the Jews of Poland and which even was maintained for them under the Russian domination. The “repos dominical” does not exist and has not hitherto existed in Poland. The Law only requires that during Church hours in the morning shop fronts shall be closed, but otherwise all labour and trading, including the work of factories and banks, have been allowed to proceed as usual.

2. If this right be not confirmed it is probable that the Poles will enact a Law prohibiting Sunday Trading, not in deference to the religious sentiments of Christians, but as a measure of economic oppression of the Jews. During the last six years the Jews have been the victims of a cruel and widespread economic boycott

organised against them by M. Dmowski and the National Democratic Party. The objects of this mischievous campaign would be effectively served by a Law prohibiting Sunday Labour and Trade, inasmuch as it would impose on the Jews two days of rest per week as against one for non-Jews.

3. Christian and religious sentiment in Poland would not be offended. Apart from the fact that it is already familiar with Jewish trading activity on Sundays, it has hitherto recognised its inherent justice and convenience which arise from the peculiar position of the Jews in Poland. Unlike the Jews in Western countries, they live in great masses, and form from 40 per cent. to 90 per cent. of the urban population, paying an average of 60 per cent. of the local rates. They are consequently very largely a self-contained economic organism, and hence under the safeguards which already exist their Sunday trading activities are quite a normal phenomenon of Polish social life.

4. The withdrawal of the existing Sunday Trading Rights would have peculiarly grave consequences at this moment. A great work of economic reconstruction has now to be undertaken in Poland, and its difficulties will be tremendously increased if the Jewish population who form so important an element in the financial, commercial and industrial life of the country find their energies restricted by being required to observe two days of rest in every week. This enforced idleness of nearly 4,000,000 souls, forming 14½ per cent. of the population, will obviously be as serious a matter for the whole State as it will be for the Jews, and will appreciably retard its economic resurrection.

With regard to the second point, which relates to the guarantees to be required for the fulfilment of the Treaty, my Delegation propose, with your permission, to address you in a separate letter.

I am, Sir,

Your most obedient humble Servant,

LUCIEN WOLF.

The Rt. Hon. D. Lloyd George, P.C., M.P., etc., etc., etc.

#### No. 36.

(*M. Clemenceau to M. Paderewski.*)

Paris, June 24, 1919.

Sir,—On behalf of the Supreme Council of the Principal Allied and Associated Powers, I have the honour to communicate to you herewith in its final form the text of the Treaty which, in accordance with Article 93 of the Treaty of Peace with Germany, Poland will be asked to sign on the occasion of the confirmation of her recognition as an Independent State and of the transference to her of the territories included in the former German Empire which are assigned to her by the said Treaty. The principal provisions were communicated to the Polish Delegation in Paris in May last, and were subsequently communicated direct to the Polish Government through the French Minister at Warsaw. The Council have since had the advantage of the suggestions which you were good enough to convey to them in your memorandum of the 16th June, and as the result of a study of these suggestions modifications have been introduced in the text of the Treaty. The Council believe that it will be found that by these modifications the principal points to which attention was drawn in your memorandum have, in so far as they relate to specific provisions of the Treaty, been adequately covered.

In formally communicating to you the final decision of the Principal Allied and Associated Powers in this matter, I should desire to take this opportunity

of explaining in a more formal manner than has hitherto been done the considerations by which the Principal Allied and Associated Powers have been guided in dealing with the question.

1. In the first place, I would point out that this Treaty does not constitute any fresh departure. It has for long been the established procedure of the public law of Europe that when a State is created, or even when large accessions of territory are made to an established State, the joint and formal recognition by the Great Powers should be accompanied by the requirement that such State should, in the form of a binding international convention, undertake to comply with certain principles of government. This principle, for which there are numerous other precedents, received the most explicit sanction when, at the last great assembly of European Powers—the Congress of Berlin—the sovereignty and independence of Serbia, Montenegro, and Roumania were recognised. It is desirable to recall the words used on this occasion by the British, French, Italian, and German Plenipotentiaries, as recorded in the Protocol of the 28th June, 1878:—

“ Lord Salisbury recognises the independence of Serbia, but is of opinion that it would be desirable to stipulate in the Principality the great principle of religious liberty.

“ Mr. Waddington believes that it is important to take advantage of this solemn opportunity to cause the principles of religious liberty to be affirmed by the representatives of Europe. His Excellency adds that Serbia, who claims to enter the European family on the same basis as other States, must previously recognise the principles which are the basis of social organisation in all States of Europe, and accept them as a necessary condition of the favour which she asks for.

“ Prince Bismarck, associating himself with the French proposal, declares that the assent of Germany is always assured to any motion favourable to religious liberty.

“ Count de Launay says that, in the name of Italy, he desires to adhere to the principle of religious liberty, which forms one of the essential bases of the institutions in his country, and that he associates himself with the declarations made on this subject by Germany, France, and Great Britain.

“ Count Andrassy expresses himself to the same effect, and the Ottoman Plenipotentiaries raise no objection.

“ Prince Bismarck, after having summed up the results of the vote, declares that Germany admits the independence of Serbia, but on condition that religious liberty will be recognised in the Principality. His Serene Highness adds that the Drafting Committee, when they formulate this decision, will affirm the connection established by the Conference between the proclamation of Serbian independence and the recognition of religious liberty.”

2. The Principal Allied and Associated Powers are of opinion that they would be false to the responsibility which rests upon them if on this occasion they departed from what has become an established tradition. In this connection I must also recall to your consideration the fact that it is to the endeavours and sacrifices of the Powers in whose name I am addressing you that the Polish nation owes the recovery of its independence. It is by their decision that Polish sovereignty is being re-established over the territories in question and that the inhabitants of these territories are being incorporated in the Polish nation. It is on the support which the resources of these Powers will afford to the League of Nations that for the future Poland will to a large extent depend for the secure

possession of these territories. There rests, therefore, upon these Powers an obligation, which they cannot evade, to secure in the most permanent and solemn form guarantees for certain essential rights which will afford to the inhabitants the necessary protection whatever changes may take place in the internal constitution of the Polish State.

It is in accordance with this obligation that Clause 93 was inserted in the Treaty of Peace with Germany. This clause relates only to Poland, but a similar clause applies the same principles to Czecho-Slovakia, and other clauses have been inserted in the Treaty of Peace with Austria, and will be inserted in those with Hungary and with Bulgaria, under which similar obligations will be undertaken by other States which under those Treaties receive large accessions of territory.

The consideration of these facts will be sufficient to show that by the requirement addressed to Poland at the time when it receives in the most solemn manner the joint recognition of the re-establishment of its sovereignty and independence, and when large accessions of territory are being assigned to it, no doubt is thrown upon the sincerity of the desire of the Polish Government and the Polish nation to maintain the general principles of justice and liberty. Any such doubt would be far from the intention of the Principal Allied and Associated Powers.

3. It is indeed true that the new Treaty differs in form from earlier Conventions dealing with similar matters. The change of form is a necessary consequence and an essential part of the new system of international relations which is now being built up by the establishment of the League of Nations. Under the older system the guarantee for the execution of similar provisions was vested in the Great Powers. Experience has shown that this was in practice ineffective, and it was also open to the criticism that it might give to the Great Powers, either individually or in combination, a right to interfere in the internal constitution of the States affected which could be used for political purposes. Under the new system the guarantee is entrusted to the League of Nations. The clauses dealing with this guarantee have been carefully drafted so as to make it clear that Poland will not be in any way under the tutelage of those Powers who are signatories to the Treaty.

I should desire, moreover, to point out to you that provision has been inserted in the Treaty by which disputes arising out of its provisions may be brought before the Court of the League of Nations. In this way differences which might arise will be removed from the political sphere and placed in the hands of a judicial court, and it is hoped that thereby an impartial decision will be facilitated, while at the same time any danger of political interference by the Powers in the internal affairs of Poland will be avoided.

4. The particular provisions to which Poland and the other States will be asked to adhere differ to some extent from those which were imposed on the new States at the Congress of Berlin. But the obligations imposed upon new States seeking recognition have at all times varied with the particular circumstances. The Kingdom of the United Netherlands in 1814 formally undertook precise obligations with regard to the Belgian provinces at that time annexed to the kingdom which formed an important restriction on the unlimited exercise of its sovereignty. It was determined at the establishment of the Kingdom of Greece that the Government of that State should take a particular form, viz., it should be both monarchical and constitutional; when Thessaly was annexed to Greece, it was stipulated that the lives, property, honour, religion and customs of those of the inhabitants of the localities ceded to Greece who remained under the Hellenic administration should be scrupulously respected, and that they should enjoy exactly the same civil and political rights as Hellenic subjects of origin. In addition.

very precise stipulations were inserted safeguarding the interests of the Mohammedian population of these territories.

The situation with which the Powers have now to deal is new, and experience has shown that new provisions are necessary. The territories now being transferred both to Poland and to other States inevitably include a large population speaking languages and belonging to races different from that of the people with whom they will be incorporated. Unfortunately, the races have been estranged by long years of bitter hostility. It is believed that these populations will be more easily reconciled to their new position if they know that from the very beginning they have assured protection and adequate guarantees against any danger of unjust treatment or oppression. The very knowledge that these guarantees exist will, it is hoped, materially help the reconciliation which all desire, and will indeed do much to prevent the necessity of its enforcement.

5. To turn to the individual clauses of the present Treaty. Article 2 guarantees to all inhabitants those elementary rights which are, as a matter of fact, secured in every civilised State. Clauses 3 to 6 are designed to insure that all the genuine residents in the territories now transferred to Polish sovereignty shall in fact be assured of the full privileges of citizenship. Articles 7 and 8, which are in accordance with precedent, provide against any discrimination against those Polish citizens who by their religion, their language, or their race differ from the large mass of the Polish population. It is understood that, far from raising any objection to the matter of these articles, the Polish Government have already, of their own accord, declared their firm intention of basing their institutions on the cardinal principles enunciated therein.

The following articles are of rather a different nature in that they provide more special privileges to certain groups of these minorities. In the final revision of these latter articles, the Powers have been impressed by the suggestions made in your memorandum of the 16th June, and the articles have in consequence been subjected to some material modifications. In the final text of the Treaty it has been made clear that the special privileges accorded in Article 9 are extended to Polish citizens of German speech only in such parts of Poland as are, by the Treaty with Germany, transferred from Germany to Poland. Germans in other parts of Poland will be unable under this article to claim to avail themselves of these privileges. They will, therefore, in this matter be dependent solely on the generosity of the Polish Government, and will in fact be in the same position as German citizens of Polish speech in Germany.

6. Clauses 10 and 12 deal specifically with the Jewish citizens of Poland. The information at the disposal of the Principal Allied and Associated Powers as to the existing relations between the Jews and the other Polish citizens has led them to the conclusion that, in view of the historical development of the Jewish question and the great animosity aroused by it, special protection is necessary for the Jews in Poland. These clauses have been limited to the minimum which seems necessary under the circumstances of the present day, viz., the maintenance of Jewish schools and the protection of the Jews in the religious observance of their Sabbath. It is believed that these stipulations will not create any obstacle to the political unity of Poland. They do not constitute any recognition of the Jews as a separate political community within the Polish State. The educational provisions contain nothing beyond what is in fact provided in the educational institutions of many highly organised modern States. There is nothing inconsistent with the sovereignty of the State in recognising and supporting schools in which children shall be brought up in the religious influences to which they are accustomed in their home. Ample safeguards against any use of non-Polish languages to encourage a spirit of national

separation have been provided in the express acknowledgment that the provisions of this Treaty do not prevent the Polish State from making the Polish language obligatory in all its school's and educational institutions.

7. The economic clauses contained in Chapter II. of the Treaty have been drafted with the view of facilitating the establishment of equitable commercial relations between independent Poland and the other Allied and Associated Powers. They include provisions for reciprocal diplomatic and consular representation, for freedom of transit, and for the adhesion of the Polish Government to certain international conventions.

In these clauses the Principal Allied and Associated Powers have not been actuated by any desire to secure for themselves special commercial advantages. It will be observed that the rights accorded to them by these clauses are extended equally to all States who are members of the League of Nations. Some of the provisions are of a transitional character, and have been introduced only with the necessary object of bridging over the short interval which must elapse before general regulations can be established by Poland herself or by commercial treaties or general conventions approved by the League of Nations.

In conclusion, I am to express to you on behalf of the Allied and Associated Powers the very sincere satisfaction which they feel at the re-establishment of Poland as an independent State. They cordially welcome the Polish nation on its re-entry into the family of nations. They recall the great services which the ancient Kingdom of Poland rendered to Europe both in public affairs and by its contributions to the progress of mankind which is the common work of all civilised nations. They believe that the voice of Poland will add to the wisdom of their common deliberations in the cause of peace and harmony, that its influence will be used to further the spirit of liberty and justice, both in internal and external affairs, and that thereby it will help in the work of reconciliation between the nations which, with the conclusion of Peace, will be the common task of humanity.

The Treaty by which Poland solemnly declares before the world her determination to maintain the principles of justice, liberty, and toleration, which were the guiding spirit of the ancient Kingdom of Poland, and also receives in its most explicit and binding form the confirmation of her restoration to the family of independent nations, will be signed by Poland and by the Principal Allied and Associated Powers on the occasion of, and at the same time as, the signature of the Treaty of Peace with Germany.—I have, etc.,

CLEMENCEAU.

**No. 37.**

*(Minority Treaty with Poland, June 28, 1919.)*

The United States of America, the British Empire, France, Italy, and Japan, the Principal Allied and Associated Powers, on the one hand; and Poland, on the other hand;

Whereas the Allied and Associated Powers have by the success of their arms restored to the Polish nation the independence of which it had been unjustly deprived; and

Whereas by the proclamation of March 30, 1917, the Government of Russia assented to the re-establishment of an independent Polish State; and

Whereas the Polish State, which now in fact exercises sovereignty over those portions of the former Russian Empire which are inhabited by a majority of Poles, has already been recognised as a sovereign and independent State by the Principal Allied and Associated Powers; and

Whereas under the Treaty of Peace concluded with Germany by the Allied and Associated Powers, a Treaty of which Poland is a signatory, certain portions of the former German Empire will be incorporated in the territory of Poland; and

Whereas under the terms of the said Treaty of Peace, the boundaries of Poland not already laid down are to be subsequently determined by the Principal Allied and Associated Powers;

The United States of America, the British Empire, France, Italy, and Japan, on the one hand, confirming their recognition of the Polish State, constituted within the said limits as a sovereign and independent member of the family of nations, and being anxious to ensure the execution of the provisions of Article 93 of the said Treaty of Peace with Germany;

Poland, on the other hand, desiring to conform her institutions to the principles of liberty and justice, and to give a sure guarantee to the inhabitants of the territory over which she has assumed sovereignty;

For this purpose the High Contracting Parties represented as follows:—

(Names of Plenipotentiaries.)

After having exchanged their full powers, found in good and due form, have agreed as follows:—

## CHAPTER I.

### ARTICLE 1.

Poland undertakes that the stipulations contained in Articles 2 to 8 of this Chapter shall be recognised as fundamental laws, and that no law, regulation or official action shall conflict or interfere with these stipulations, nor shall any law, regulation or official action prevail over them.

### ARTICLE 2.

Poland undertakes to assure full and complete protection of life and liberty to all inhabitants of Poland without distinction of birth, nationality, language, race or religion.

All inhabitants of Poland shall be entitled to the free exercise, whether public or private, of any creed, religion or belief, whose practices are not inconsistent with public order or public morals.

### ARTICLE 3.

Poland admits and declares to be Polish nationals *ipso facto* and without the requirement of any formality German, Austrian, Hungarian, or Russian nationals habitually resident at the date of the coming into force of the present Treaty in territory which is or may be recognised as forming part of Poland, but subject to any provisions in the Treaties of Peace with Germany or Austria respectively relating to persons who became resident in such territory after a specified date.

Nevertheless, the persons referred to above who are over eighteen years of age will be entitled under the conditions contained in the said Treaties to opt for any other nationality which may be open to them. Option by a husband will cover his wife and option by parents will cover their children under eighteen years of age.

Persons who have exercised the above right to opt must, except where it is otherwise provided in the Treaty of Peace with Germany, transfer within the succeeding twelve months their place of residence to the State for which they have opted.

They will be entitled to retain their immovable property in Polish territory. They may carry with them their movable property of every description. No export duties may be imposed upon them in connection with the removal of such property.

#### ARTICLE 4.

Poland admits and declares to be Polish nationals *ipso facto* and without the requirement of any formality persons of German, Austrian, Hungarian or Russian nationality who were born in the said territory of parents habitually resident there, even if at the date of the coming into force of the present Treaty they are not themselves habitually resident there.

Nevertheless, within two years after the coming into force of the present Treaty, these persons may make a declaration before the competent Polish authorities in the country in which they are resident, stating that they abandon Polish nationality, and they will then cease to be considered as Polish nationals. In this connection a declaration by a husband will cover his wife, and a declaration by parents will cover their children under eighteen years of age.

#### ARTICLE 5.

Poland undertakes to put no hindrance in the way of the exercise of the right which the persons concerned have, under the Treaties concluded or to be concluded by the Allied and Associated Powers with Germany, Austria, Hungary or Russia, to choose whether or not they will acquire Polish nationality.

#### ARTICLE 6.

All persons born in Polish territory who are not born nationals of another State shall *ipso facto* become Polish nationals.

#### ARTICLE 7.

All Polish nationals shall be equal before the law, and shall enjoy the same civil and political rights without distinction as to race, language or religion.

Differences of religion, creed or confession shall not prejudice any Polish national in matters relating to the enjoyment of civil or political rights, as for instance admission to public employments, functions and honours, or the exercise of professions and industries.

No restriction shall be imposed on the free use by any Polish national of any language in private intercourse, in commerce, in religion, in the press or in publications of any kind, or at public meetings.

Notwithstanding any establishment by the Polish Government of an official language, adequate facilities shall be given to Polish nationals of non-Polish speech for the use of their language, either orally or in writing, before the courts.

#### ARTICLE 8.

Polish nationals who belong to racial, religious or linguistic minorities shall enjoy the same treatment and security in law and in fact as the other Polish nationals. In particular they shall have an equal right to establish, manage and control at their own expense charitable, religious and social institutions, schools and other educational establishments, with the right to use their own language and to exercise their religion freely therein.

#### ARTICLE 9.

Poland will provide in the public educational system in towns and districts in which a considerable proportion of Polish nationals of other than Polish speech are residents adequate facilities for ensuring that in the primary schools the instruction shall be given to the children of such Polish nationals through the medium of their

own language. This provision shall not prevent the Polish Government from making the teaching of the Polish language obligatory in the said schools.

In towns and districts where there is a considerable proportion of Polish nationals belonging to racial, religious or linguistic minorities, these minorities shall be assured an equitable share in the enjoyment and application of the sums which may be provided out of public funds under the State, municipal or other budget for educational, religious or charitable purposes.

The provisions of this Article shall apply to Polish citizens of German speech only in that part of Poland which was German territory on August, 1914.

#### ARTICLE 10.

Educational Committees appointed locally by the Jewish communities of Poland will, subject to the general control of the State, provide for the distribution of the proportional share of public funds allocated to Jewish schools in accordance with Article 9, and for the organisation and management of these schools.

The provisions of Article 9 concerning the use of languages in schools shall apply to these schools.

#### ARTICLE 11.

Jews shall not be compelled to perform any act which constitutes a violation of their Sabbath, nor shall they be placed under any disability by reason of their refusal to attend courts of law or to perform any legal business on their Sabbath. This provision, however, shall not exempt Jews from such obligations as shall be imposed upon all other Polish citizens for the necessary purposes of military service, national defence or the preservation of public order.

Poland declares her intention to refrain from ordering or permitting elections, whether general or local, to be held on a Saturday, nor will registration for electoral or other purposes be compelled to be performed on a Saturday.

#### ARTICLE 12.

Poland agrees that the stipulations in the foregoing Articles, so far as they affect persons belonging to racial, religious or linguistic minorities, constitute obligations of international concern, and shall be placed under the guarantee of the League of Nations. They shall not be modified without the assent of a majority of the Council of the League of Nations. The United States, the British Empire, France, Italy and Japan hereby agree not to withhold their assent from any modification in these Articles which is in due form assented to by a majority of the Council of the League of Nations.

Poland agrees that any Member of the Council of the League of Nations shall have the right to bring to the attention of the Council any infraction, or any danger of infraction, of any of these obligations, and that the Council may thereupon take such action and give such direction as it may deem proper and effective in the circumstances.

Poland further agrees that any difference of opinion as to questions of law or fact arising out of these Articles between the Polish Government and any one of the Principal Allied and Associated Powers or any other Power, a Member of the Council of the League of Nations, shall be held to be a dispute of an international character under Article 14 of the Covenant of the League of Nations. The Polish Government hereby consents that any such dispute shall, if the other party thereto demands, be referred to the Permanent Court of International Justice. The decision of the Permanent Court shall be final and shall have the same force and effect as an award under Article 13 of the Covenant.

## CHAPTER II.

(The remaining Articles relate to Economic Questions.)

The present Treaty, of which the French and English texts are both authentic, shall be ratified. It shall come into force at the same time as the Treaty of Peace with Germany.

The deposit of ratifications shall be made at Paris.

Powers of which the seat of the Government is outside Europe will be entitled merely to inform the Government of the French Republic through their diplomatic representative at Paris that their ratification has been given; in that case they must transmit the instrument of ratification as soon as possible.

A procès-verbal of the deposit of ratifications will be drawn up.

The French Government will transmit to all the signatory Powers a certified copy of the procès-verbal of the deposit of ratifications.

In Faith Whereof the above-named Plenipotentiaries have signed the present Treaty.

Done at Versailles, the twenty-eighth day of June, one thousand nine hundred and nineteen, in a single copy which will remain deposited in the archives of the French Republic, and of which authenticated copies will be transmitted to each of the Signatory Powers.

WOODROW WILSON, ROBERT LANSING, HENRY WHITE, E. M. HOUSE,  
TASKER H. BLISS, D. LLOYD GEORGE, A. BONAR LAW, MILNER,  
ARTHUR JAMES BALFOUR, GEORGE N. BARNES, CHAS. J.  
DOHERTY, ARTHUR L. SIFTON, W. M. HUGHES, JOSEPH COOK,  
LOUIS BOTHA, J. C. SMUTS, ED. S. MONTAGU, GANGA SINGH,  
MAHARAJA DE BIKANER, G. CLEMENCEAU, S. PICHON, L.-L. KLOTZ,  
ANDRE TARDIEU, JULES CAMBON, SIDNEY SONNINO, IMPERIALI,  
SILVIO CRESPI, SAIONZI, N. MAKINO, H. CHINDA, K. MATSUI,  
H. IJUIN.

I. J. PADEREWSKI, ROMAN DMOWSKI.

### No. 38.

(*Mr. Lucien Wolf to Mr. Paderewski.*)

Paris, June 28th, 1919.

Dear Mr. Paderewski,—Although I have not yet any instructions from my Delegation I feel that I ought not to allow this great day to pass without offering you my sincere congratulations on all that it means for your illustrious and gallant country. My co-religionists who have so many kinsmen in Poland will note with special satisfaction the high act of statesmanship by which you have still further signalled this great occasion. The special Treaty in which you have spontaneously affirmed the fidelity of Poland to the principles of Liberty and Justice is a worthy renewal of the tradition which has so often in the past made of your country an asylum for the persecuted of other lands. It will, I am sure, be accepted with gratitude by my Polish co-religionists not only as a charter of Civil and Religious Liberty for themselves, but as a basis on which they may once more unite with their Christian compatriots in promoting the interests of their common fatherland and in making of it a bulwark of European freedom and a beacon of tolerance to Eastern nations.

May I add a word of personal appreciation of the wise and conciliatory spirit with which, during the last few months, you have striven towards this end.

Believe me, Dear Mr. Paderewski,

Very faithfully yours,

LUCIEN WOLF.

(d) AUSTRIA.

NO. 39.

(*Extracts from the Austrian Peace Treaty, September 10, 1919.*)

SECTION II.—SERB-CROAT-SLOVENE STATE.

ARTICLE 51.

The Serb-Croat-Slovene State accepts and agrees to embody in a Treaty with the Principal Allied and Associated Powers such provisions as may be deemed necessary by these Powers to protect the interests of inhabitants of that State who differ from the majority of the population in race, language or religion.

SECTION III.—CZECHO-SLOVAK STATE.

ARTICLE 57.

The Czecho-Slovak State accepts and agrees to embody in a Treaty with the Principal Allied and Associated Powers such provisions as may be deemed necessary by these Powers to protect the interests of inhabitants of that State who differ from the majority of the population in race, language or religion.

SECTION IV.—ROUMANIA.

ARTICLE 60.

Roumania accepts and agrees to embody in a Treaty with the Principal Allied and Associated Powers such provisions as may be deemed necessary by these Powers to protect the interests of inhabitants of that State who differ from the majority of the population in race, language, or religion.

SECTION V.—PROTECTION OF MINORITIES.

ARTICLE 62.

Austria undertakes that the stipulations contained in this Section shall be recognised as fundamental laws, and that no law, regulation or official action shall conflict or interfere with these stipulations, nor shall any law, regulation, or official action prevail over them.

ARTICLE 63.

Austria undertakes to assure full and complete protection of life and liberty to all inhabitants of Austria without distinction of birth, nationality, language, race or religion.

All inhabitants of Austria shall be entitled to the free exercise, whether public or private, of any creed, religion or belief, whose practices are not inconsistent with public order or public morals.

ARTICLE 64.

Austria admits and declares to be Austrian nationals *ipso facto* and without the requirement of any formality all persons possessing at the date of the coming into force of the present Treaty rights of citizenship (*pertinenza*) within Austrian territory who are not nationals of any other State.

ARTICLE 65.

All persons born in Austrian territory who are not born nationals of another State shall *ipso facto* become Austrian nationals.

#### ARTICLE 66.

All Austrian nationals shall be equal before the law and shall enjoy the same civil and political rights without distinction as to race, language, or religion.

Differences of religion, creed, or confession shall not prejudice any Austrian national in matters relating to the enjoyment of civil or political rights, as for instance, admission to public employments, functions and honours, or the exercise of professions and industries.

No restriction shall be imposed on the free use by any Austrian national of any language in private intercourse, in commerce, in religion, in the Press or in publications of any kind, or at public meetings.

Notwithstanding any establishment by the Austrian Government of an official language, adequate facilities shall be given to Austrian nationals of non-German speech for the use of their language, either orally or in writing, before the courts.

#### ARTICLE 67.

Austrian nationals who belong to racial, religious or linguistic minorities shall enjoy the same treatment and security in law and in fact as the other Austrian nationals. In particular they shall have an equal right to establish, manage, and control at their own expense charitable, religious and social institutions, schools and other educational establishments, with the right to use their own language and to exercise their religion freely therein.

#### ARTICLE 68.

Austria will provide in the public educational system in towns and districts in which a considerable proportion of Austrian nationals of other than German speech are resident adequate facilities for ensuring that in the primary schools the instruction shall be given to the children of such Austrian nationals through the medium of their own language. This provision shall not prevent the Austrian Government from making the teaching of the German language obligatory in the said schools.

In towns and districts where there is a considerable proportion of Austrian nationals belonging to racial, religious or linguistic minorities, these minorities shall be assured an equitable share in the enjoyment and application of the sums which may be provided out of public funds under the State, municipal or other budgets for educational, religious or charitable purposes.

#### ARTICLE 69.

Austria agrees that the stipulations in the foregoing Articles of this Section, so far as they affect persons belonging to racial, religious or linguistic minorities, constitute obligations of international concern, and shall be placed under the guarantee of the League of Nations. They shall not be modified without the assent of a majority of the Council of the League of Nations. The Allied and Associated Powers represented on the Council severally agree not to withhold their assent from any modification in these Articles which is in due form assented to by a majority of the Council of the League of Nations.

Austria agrees that any Member of the Council of the League of Nations shall have the right to bring to the attention of the Council any infraction, or any danger of infraction, of any of these obligations, and that the Council may thereupon take such action and give such direction as it may deem proper and effective in the circumstances.

Austria further agrees that any difference of opinion as to questions of law or fact arising out of these Articles between the Austrian Government and any one of the Principal Allied and Associated Powers or any other Power, a Member of the

Council of the League of Nations, shall be held to be a dispute of an international character under Article 14 of the Covenant of the League of Nations. The Austrian Government hereby consents that any such dispute shall, if the other party thereto demands, be referred to the Permanent Court of International Justice. The decision of the Permanent Court shall be final, and shall have the same force and effect as an award under Article 13 of the Covenant.

(e) CZECHO-SLOVAKIA.

**NO. 40.**

(*Minority Treaty with Czecho-Slovakia, September 10, 1919.*)

The United States of America, the British Empire, France, Italy, and Japan, described as the Principal Allied and Associated Powers, on the one hand; and Czecho-Slovakia, on the other hand;

In pursuance of the provisions of Article 57 of the Treaty of Peace with Austria;

Whereas the union which formerly existed between the ancient Kingdom of Bohemia, Moravia and Silesia on the one hand and the other territories of the former Austro-Hungarian Monarchy on the other, has definitely ceased to exist; and

Whereas the peoples of Bohemia, Moravia and of part of Silesia as well as the peoples of Slovakia have decided of their own free will to unite, and have in fact united in a permanent union for the purpose of forming a single sovereign independent State under the title of the Czecho-Slovak Republic; and

Whereas the Ruthene peoples to the south of the Carpathians have adhered to this union; and

Whereas the Czecho-Slovak Republic in fact exercises sovereignty over the aforesaid territories and has already been recognised as a sovereign independent State by the other High Contracting Parties;

The Principal Allied and Associated Powers on the one hand, confirming their recognition of the Czecho-Slovak State within the boundaries determined or to be determined as a sovereign and independent member of the Family of Nations;

Czecho-Slovakia on the other hand desiring to conform its institutions to the principles of Liberty and Justice, and to give sure guarantees to all the inhabitants of the territories over which it has assumed sovereignty;

For this purpose the following representatives of the High Contracting Parties—

(Names of Plenipotentiaries.)

After having exchanged their full powers, found in good and due form, have agreed as follows:—

## CHAPTER I.

### ARTICLES 1-9.

(These Articles are *mutatis mutandis* the same as in the Treaty with Poland, *supra* pp. 87—91, except that the last paragraph of Article 9 in the Polish Treaty is omitted. Articles 10 and 11 of the Polish Treaty are omitted in the Czecho-Slovak Treaty. *Supra* p. 90.)

## CHAPTER II.

### ARTICLE 10.

Czecho-Slovakia agrees to constitute the Ruthene territory south of the Carpathians within frontiers delimited by the Principal Allied and Associated Powers as an autonomous unit within the Czecho-Slovak State and to accord to it the fullest degree of self-government compatible with the unity of the Czecho-Slovak State.

### ARTICLE 11.

The country of the Ruthenes south of the Carpathians shall possess a special Diet. This Diet shall enjoy legislative power in all linguistic, scholastic and religious questions, in matters of local administration, and in other questions which the law of the Czecho-Slovak Republic may attribute to it. The Governor of the country of the Ruthenes who shall be appointed by the President of the Czecho-Slovak Republic shall be responsible to the Ruthene Diet.

### ARTICLE 12.

Czecho-Slovakia agrees that officials in the country of the Ruthenes shall be chosen as far as possible from the inhabitants of this territory.

### ARTICLE 13.

Czecho-Slovakia guarantees to the country of the Ruthenes equitable representation in the legislative Assembly of the Czecho-Slovak Republic, to which Assembly it will send deputies elected according to the constitution of the Czecho-Slovak Republic. These deputies will not, however, have the right of voting in the Czecho-Slovak Diet upon legislative questions such as those attributed to the Ruthene Diet.

### ARTICLE 14.

(The same as Article 12 in Polish Treaty, *supra* p. 90.)

## CHAPTER III.

(This Chapter relates to economic questions.)

In faith whereof the above-named Plenipotentiaries have signed the present Treaty.

Done at Saint-Germain-en-Laye, the tenth day of September, one thousand nine hundred and nineteen, in a single copy which will remain deposited in the archives of the French Republic and of which authenticated copies will be transmitted to each of the Signatory Powers.

(Signatures.)

(f) SERBIA.

**No. 41.**

(*Minority Treaty with Serbia, September 10, 1919.*)

The United States of America, the British Empire, France, Italy, and Japan, the Principal Allied and Associated Powers, on the one hand; and the Serb-Croat-Slovene State, on the other hand;

Whereas since the commencement of the year 1913 extensive territories have been added to the Kingdom of Serbia; and

Whereas the Serb, Croat, and Slovene peoples of the former Austro-Hungarian Monarchy have of their own free will determined to unite with Serbia in a permanent union for the purpose of forming a single sovereign independent State under the title of the Kingdom of the Serbs, Croats, and Slovenes; and

Whereas the Prince Regent of Serbia and the Serbian Government have agreed to this union, and in consequence the Kingdom of the Serbs, Croats, and Slovenes has been constituted and has assumed sovereignty over the territories inhabited by these peoples; and

Whereas it is necessary to regulate certain matters of international concern arising out of the said additions of territory and of this union; and

Whereas it is desired to free Serbia from certain obligations which she undertook by the Treaty of Berlin of 1878 to certain Powers and to substitute for them obligations to the League of Nations; and

Whereas the Serb-Croat-Slovene State of its own free will desires to give to the populations of all territories included within the State, of whatever race, language or religion they may be, full guarantees that they shall continue to be governed in accordance with the principles of Liberty and Justice;

For this purpose the High Contracting Parties have appointed as their plenipotentiaries:—

(Names of Plenipotentiaries.)

Who, after having exchanged their full powers, found in good and due form, have agreed as follows:—

The Principal Allied and Associated Powers, taking into consideration the obligations contracted under the present Treaty by the Serb-Croat-Slovene State, declare that the Serb-Croat-Slovene State is definitely discharged from the obligations undertaken in Article 35 of the Treaty of Berlin of July 13, 1878.

## CHAPTER I.

### ARTICLES 1-9.

(These Articles are *mutatis mutandis* identical with the same Articles in the Polish Treaty. *Supra* pp. 87—91. The following paragraph is appended to Article 9: “The provisions of the present Article apply only to territory transferred to Serbia or to the Kingdom of the Serbs, Croats, and Slovenes since January 1, 1913.” Articles 10 and 11 of the Polish Treaty are omitted.)

### ARTICLE 10.

The Serb-Croat-Slovene State agrees to grant to the Musulmans in the matter of family law and personal status provisions suitable for regulating these matters in accordance with Musulman usage.

The Serb-Croat-Slovene State shall take measures to assure the nomination of a Reiss-Ul-Ulema.

The Serb-Croat-Slovene State undertakes to ensure protection to the mosques, cemeteries and other Musulman religious establishments. Full recognition and facilities shall be assured to Musulman pious foundations (Wakfs) and religious and

charitable establishments now existing, and the Serb-Croat-Slovene Government shall not refuse any of the necessary facilities for the creation of new religious and charitable establishments guaranteed to other private establishments of this nature.

#### ARTICLE 11.

(This Article is identical with Article 12 of the Polish Treaty, *supra* p. 90.)

### CHAPTER II.

(This Chapter relates to economic questions.)

In faith whereof, the above-named plenipotentiaries have signed the present Treaty.

Done at Saint-Germain-en-Laye, the tenth day of September, one thousand nine hundred and nineteen, in a single copy which will remain deposited in the archives of the French Republic and of which authenticated copies will be transmitted to each of the Signatory Powers.

[Plenipotentiaries who, in consequence of their temporary absence from Paris, have not signed the present Treaty, may do so up to December 20, 1919.]

(Signatures.)

#### (g) ROUMANIA.

##### NO. 42.

(Roumanian Decree-Law of December 28th, 1918.)

We approve, subject to later ratification by the legislative bodies, of the following:—

#### ARTICLE 1.

The adult inhabitants of the Kingdom, without distinction of religion, who have not enjoyed full citizen rights, may obtain these rights on proof, in accordance with the formalities prescribed in the present law, that they were born in the country and have never been subjects of a foreign State.

These conditions are not to be enforced on those who joined the Colours in one of the campaigns conducted since 1913, even if at the time they were still minors.

#### ARTICLE 2.

The following shall be granted full enjoyment of citizen rights in Roumania:—

(a) The wives and legitimate children (minors) of those included in the categories mentioned in Article 1, together with their husbands and parents.

(b) The widows and legitimate children (minors) of deceased persons who joined the Colours in the campaigns conducted from 1913 to the present day.

(c) The widows, wives, and legitimate children of those who themselves obtained individual naturalisation before the promulgation of this law; such children must either be minors now or have been minors at the time of their father's naturalisation.

#### ARTICLE 3.

The widows and legitimate children (minors) of those who, in accordance with Article 1, paragraph 1, are entitled to become Roumanian citizens, may obtain naturalisation on complying with the formalities prescribed by the present law.

For this purpose guardians may make application, within the time and in accordance with the procedure laid down in Article 8, with the object of proving that the husband or the minor's father fulfilled the conditions of Article 1, paragraph 1.

If the guardian does not make this application, the minor may make it in the year after he comes of age.

When the minor comes within the category of those mentioned in Article 1, paragraph 2, he may make the application himself.

#### ARTICLE 4.

The proof of native origin required by Article 1, paragraph 1, may be established by any of the following documents:—

(a) Certificates of birth, marriage, or death, Army book or any document issued by the civil or military authorities.

(b) A certificate of cognizance signed by three persons, the signatures being authenticated by the Courts, justices of the peace, police, the circonscription of police, or the mayoral officials.

#### ARTICLE 5.

The proof of never having been a subject of a foreign State required by Article 1, paragraph 1, may be established by any of the following documents:—

(a) Any document proving that the recruiting law has been complied with.

(b) The original passport, or a certificate showing that a Roumanian passport is held.

(c) A certificate testifying that the applicant has not been subject to the control enforced by the law dealing with the control of foreigners.

(d) Any other document by which, in accordance with the law and regulations relating to the control of foreigners, the applicant can prove that he has never been a foreign subject.

#### ARTICLE 6.

Proof of having taken part in the campaigns conducted from 1913 to the present day, in connection with the category of those mentioned in Article 1, paragraph 2, may be established by one of the following documents:—

(a) The certificate of the recruiting district showing that the applicant was mobilised, the order for mobilisation or demobilisation, the Army book, or any document issued by the military authorities.

(b) A certificate made out in accordance with the list drawn up by the law of December, 1916, for the protection of the property and families of those called to the Colours.

(c) The relief book of the "Familia Luptatorilor" or the receipt certificate showing that the family has received assistance in respect of the soldier whose name is stated on the certificate.

(d) The official *Gazette* in which the soldier appears as taken prisoner, decorated, or dead.

#### ARTICLE 7.

The following are excluded from citizen rights:—

(a) Those who have been condemned by an effective sentence for any crime, treason, desertion, espionage, or for having worked counter to the interests and safety of the Roumanian State.

(b) Those who have been exempted from military service as subjects of a foreign State.

## ARTICLE 8.

Applications for naturalisation shall be made by the interested parties themselves and not by a representative. In the case of minors they shall be made by their legal representative without further authorisation.

They shall be addressed, in the case of inhabitants of the rural communes, to the justice of the peace of the district to which the applicant's domicile is attached, and to the Courts in the case of inhabitants in towns.

The application may be accompanied by the documents of which the party intends to avail himself. In any case, the supporting evidence should be lodged at the Registrar's office concerned eight days before the expiration of the time limit.

Applications for naturalisation shall be made within three months of the promulgation of this law in the case of those residing in the country, and within ten months in the case of those living abroad; after these times no applications will be accepted.

In the case of prisoners living abroad, the time limit shall be three months from the date of their return to the country.

All departments of the Courts may decide these claims. In the Courts the decision shall be given in the Council Chamber and by a single judge in the presence of the public officials, and before a justice of the peace in the presence of his deputy or licentiate, who shall represent the public officials.

The applicants shall not be called. The day fixed for the decision shall be advertised on the door of the Court. Decisions shall be given expeditiously on all working days, even during the legal vacations, by delegation to the authority of the Courts of First Instance in vacation time.

Decisions shall bear the denomination of the naturalisation orders.

They shall be delivered without right of opposition or of appeal, with only the right of petition for repeal.

The orders shall be posted at the door of the Courts on the lists of applications granted or refused.

Petitions shall be made solely to the Registrar's office of the Court which has pronounced the order, and within fifteen days from the date of the decision.

Petitions may be presented by the claimant, by the public officials attending the Court, and by the judge's deputy, or the licentiate in the case of justices of the peace.

The petitions shall be distributed by the First President to all sections of the Court of Cassation who declare themselves competent to decide them.

The Court of Cassation shall sit in the Council Chamber with three judges, and shall also have before it the opinion of the public officials.

The decision of the lower Court may be annulled on the ground of violation or disregard of the law, and of misinterpretation of the official documents and evidence.

In the event of annulment, the Court deals with the fundamental question, and pronounces final judgment.

It is not subject to opposition, whether it dismisses the petition or annuls it on the fundamental question.

The decision shall be posted on the door of the Section that pronounces it, and the posting both of the date of the judgment and of the decision itself shall be verified by a report drawn up by the Registrar or his assistant.

In the event of there being no petition, or of the petition being dismissed, the Court shall express its decision in a writ of execution.

Evidence that no petition has been presented shall be provided by the testimony of the Registrar of the Court that pronounced the decision, and evidence that the petition has been dismissed or upheld by the certificate which the claimant hands to the Court of Cassation.

If the decision of the lower tribunal is annulled, and the Court deals with the fundamental question, the writ of execution shall be appended to its decision by the Court of Cassation.

As regards the granting of naturalisation, the Judicial Courts may declare judgment on several claims at the same time by the same decision or verdict, but in the case of rejection individual verdicts shall be given.

#### ARTICLE 9.

The order or the Cassation decision expressed in a writ of execution constitutes the title to naturalisation of the interested party.

#### ARTICLE 10.

The Judicial Courts are obliged to send to the Ministry of Justice lists of the applications granted or finally rejected, which shall be published in the official *Gazette*.

This is without prejudice to the applicant's right to enjoy naturalisation, in accordance with Article 9.

#### ARTICLE 11.

In cases of fraud, the Public Prosecutor may impugn the final decision, within six months from the discovery of the fraud, before the Court by which it was definitively delivered.

The decisions of the Courts shall be subject to appeal to the Court of Cassation within fifteen days from the date on which they were delivered.

If the resolution or decision is annulled, the definitive naturalisation ceases at the same time to be in force.

#### ARTICLE 12.

Persons who signed the certificate of cognizance referred to in Article 4, and are convicted of having made false attestations, together with those who make or attempt to make use of similar documents, shall be punished for perjury.

#### ARTICLE 13.

Applications for naturalisation, official certificates, as well as all legal documents, are exempt from stamp duty and from all registration taxes.

### NO. 43.

(*M. —— to the Joint Committee.*)

Zurich, February 28th, 1919.

Dear Sir,—As you know, the Central Committee of the "Union of Native-born Jews" has declined the legal edict issued by M. Bratiano, and has advised all Jews to refrain from making use of it. The entire Jewish population of Roumania, with the exception of a few hundred Jews who have made applications to the Courts for naturalisation, has followed out these instructions. A Court in Bucharest has, however, refused all applications submitted to it under the pretext that the Government have no right to publish such a legal edict, as it is contrary to Article 7 of the Roumanian Constitution, so we see that a Court of Justice has declared this edict anti-constitutional and consequently null and void.

I am bringing this fact to your notice so that you may see what is the real value of M. Bratiano's edict.

Yours faithfully,

Mr. Lucien Wolf.

(*The Joint Delegation to M. Dutasta.*)

Delegation of the Jews of the British Empire.

Paris, April 16th, 1919.

The undersigned, duly authorised by the Delegation of the Jews of the British Empire, has the honour to request His Excellency the Secretary General of the Peace Conference to communicate to the Supreme Council the following observations on a *projet de traité* which has lately been drawn up by the Roumanian Commission and adopted by the Superior Territorial Commission for submission to the Supreme Council.

Article IV. of this *projet de traité* runs as follows:—

“Aucune distinction de races, de croyances ou de confessions religieuses ne pourra être opposée à personne, par la loi ou par les autorités roumaines, comme un motif d'exclusion ou d'incapacité en ce qui concerne la jouissance et l'exercice des droits civils et politiques et des libertés publiques, l'accès aux fonctions, honneurs, et emplois publics ou l'exercice des professions et industries, dans quelque partie que ce soit du territoire roumain.

La liberté et la pratique extérieure de tous les cultes seront assurées à tous les ressortissants roumains aussi bien qu'aux étrangers et aucune entrave ne sera apportée, soit à l'organisation hiérarchique des différentes communions, soit à leurs rapports avec leurs chefs spirituels.”

This Article is apparently designed to give satisfaction to the proposals which the undersigned had the honour to submit to the Peace Conference on February 21st, 1919, so far as they might be applied to the Kingdom of Roumania. Unfortunately, it omits the chief guarantees which are demanded by the peculiar circumstances of the problem of Civil and Religious Liberty in that country, and which the said proposals were intended to supply. It is, indeed, almost a textual reproduction of the first and second *alinéas* of Article XLIV. of the Treaty of Berlin, which for forty-one years has been successfully evaded by the Roumanian Government, with the result that, during the whole of that period, almost the entire native Jewish population has been deprived of all political, and many of the most elementary civil, rights, and condemned to the status of foreigners without any recognised nationality. The few verbal differences between the new text and the old make no effective provision against a renewal of this deplorable evasion of Treaty obligations.

The main defect of the Treaty of 1878 was that it dealt with the Jewish Question in Roumania as one of religious disabilities only. Roumania availed herself of this limitation to transfer the question to the field of Nationality, and thus, while ostensibly abolishing the religious disabilities, maintained the *status quo ante* by arbitrarily declaring all Jews to be foreigners. In the new Article an attempt is apparently made to meet this difficulty by prohibiting race as well as religious disabilities, but in point of fact this does not change the situation in the least, inasmuch as the Roumanian conception of the essential alienage of the Jews may still be justified by a strained application of the *jus sanguinis* on which the Roumanian law of Nationality is based.

Accordingly, the undersigned begs most respectfully to submit that Article IV. of the new *projet de traité* should be amended either by the insertion of a definition of nationality and citizenship in the terms of the first *alinéa* of the formula contained in his general Memorial of February 21, 1919, or by the addition of the

formula proposed in his Special Memorial of the same date relative to the Roumanian Jewish Question.

In view of the persistence and ingenuity with which Roumania has sought at all costs to deprive her Jewish population of their rights as Roumanian citizens, the undersigned also ventures to beg of the Peace Conference to reconsider the further guarantees indicated in his Memorials of last February. These guarantees are that the emancipation of the Jews shall be a condition precedent of the recognition of any territorial accessions to the Kingdom of Roumania, and that the rights thus acquired by the Jews shall be placed under the high protection of the League of Nations.

With regard to the absence from the *projet de traité* of any provision relating to the rights of Religious and Cultural Minorities as such, the undersigned contents himself with taking note of the omission. He does so on the understanding that the whole question of Religious and Cultural Minorities in Eastern Europe may yet be dealt with by a Special Commission as proposed by him in his Memorial of last February. It would, however, be a great satisfaction to the Delegation he has the honour to represent if the Peace Conference could afford some public testimony that this understanding is not ill-founded.

LUCIEN WOLF,

Secretary and Special Delegate *ad interim* of the Joint Foreign Committee of the Board of Deputies of British Jews and the Anglo-Jewish Association.

His Excellency Monsieur Dutasta,  
Secretary General of the Peace Conference.

**No. 45.**

(*M. Dutasta to Mr. Lucien Wolf.*)

Conférence de la Paix.

Secretariat General.

Quai d'Orsay, Paris, le 23 avril, 1919.

Monsieur,—Vous avez bien voulu me faire parvenir, le 16 et le 19 de ce mois, 12 exemplaires d'une note, relative à la situation des Israélites en Roumanie.

J'ai l'honneur de vous accuser réception de ces documents que, selon votre désir, je n'ai pas manqué de transmettre aux différentes délégations représentées au Conseil Suprême de la Conférence de la Paix.

Recevez, Monsieur, l'assurance de ma considération très distinguée.

DUTASTA.

Monsieur Lucien Wolf.

**No. 46.**

(*Mr. Lucien Wolf to M. Dutasta.*)

Délégation des Israélites de l'Empire Britannique.

Paris, le 26 avril, 1919.

Monsieur le Secrétaire Général,—Faisant suite à mon mémoire du 16 avril concernant la question juive en Roumanie, j'ai l'honneur de vous transmettre ci-joint en 12 exemplaires le texte d'un amendement à porter à l'article 4 du projet de traité roumain. Il me paraît utile d'informer le Conseil Suprême de la Conférence que cet amendement donne entièrement satisfaction aux Israélites roumains. Je suis autorisé à en faire la déclaration.

Agréez, Monsieur le Secrétaire Général, l'assurance de ma considération la plus distinguée.

LUCIEN WOLF.

Enclosure in No. 46.

Art. 4 du projet de traité roumain.

"Aucune distinction de races, de croyances ou de confessions religieuses ne pourra être opposée à personne, par la loi ou par les autorités roumaines, comme un motif d'exclusion ou d'incapacité en ce qui concerne la jouissance et l'exercice des droits civils et politiques et des libertés publiques, l'accès aux fonctions, honneurs et emplois publics ou l'exercice des professions et industries, dans quelque partie que ce soit du territoire roumain.

La liberté et la pratique extérieure de tous les cultes seront assurées à tous les ressortissants roumains aussi bien qu'aux étrangers et aucune entrave ne sera apportée, soit à l'organisation hiérarchique des différentes communions, soit à leurs rapports avec leurs chefs spirituels."

Addition proposée.

"Sont déclarés de plein droit citoyens roumains tous les juifs nés ou habitant sur le territoire de la Roumanie, à l'exception de ceux qui, inscrits sur les registres des Consulats étrangers, appartiennent à une nationalité étrangère. La preuve à faire de leur naissance, domicile ou nationalité étrangère incombe au gouvernement roumain.

La Ligue des Nations est compétente pour connaître de toutes réclamations concernant l'application de cet Article."

**No. 47.**

*(Decree-Law of May 22nd, 1919.)*

**ARTICLE 1.**

The Jewish inhabitants of the Old Kingdom, born in the country or accidentally born abroad of parents settled in the country, who are not subjects of any foreign State, are Roumanian citizens, and shall enjoy all citizen rights if they express that desire and declare that they were born in Roumania and have never been under any foreign protection.

Those who have complied with the recruiting law, those who joined the Colours in one of the campaigns from 1913 to the present day, if they are still minors, as well as the widows and legitimate children (minors) of deceased persons who served in campaigns from 1913 to the present day, need not prove that they were born in the country and have not been subjects of a foreign State. A simple declaration that they wish to become citizens is sufficient. The wife and legitimate children (minors) of those who have made such declaration shall enjoy the full rights of Roumanian citizenship.

The privilege of full rights of Roumanian citizenship shall likewise be extended to the widows, wives, and legitimate children of those who obtained individual naturalisation before the publication of this decree; such children must either be minors now or have been minors at the time of the naturalisation.

Declarations made by widows having children who are minors shall apply also to their children. In the case of minors without parents the declarations shall be made by their guardians.

If a widow having children who are minors or a guardian does not make a declaration, the minor may do so himself in the year after he comes of age.

Minors who joined the Colours in any of the campaigns since 1913 may themselves make the declaration of citizenship.

## ARTICLE 2.

Declarations of option shall be addressed in duplicate to the Justices of the Peace of the district by those domiciled in the rural communes and in the urban communes situated outside the district, and to the Courts by those domiciled in the towns of the district.

The Declaration shall be signed by the person making it. If that person is illiterate, the fact shall be verified by the Justice of the Peace or the Court which has to establish his identity.

Declarations shall be made within two months of the date of the present Decree by those resident in the country, and within four months by those resident abroad. After these times declarations shall not be accepted.

In the case of serving soldiers or prisoners the time limit shall be two months from the date on which the Army passes to peace conditions or from the date of repatriation.

## ARTICLE 3.

The Justices of the Peace shall register the applications, in the order of their handing in, in an alphabetical register, which shall include the surname, first name, age, date and place of birth, occupation, and domicile; if there are children, their name and date and place of birth shall also be entered. Certificates shall be given up on demand. These certificates shall be effective for the exercise of citizen rights.

## ARTICLE 4.

The Justices of the Peace and the Courts shall forward to the office of the Court concerned alphabetical lists of the declarations made, together with a copy of the declarations. The office shall make investigations to establish the correctness or otherwise of the statements contained in the declarations.

If, as a result of the investigation made by the office or evidence submitted independently by citizens, it is proved that false declarations have been made, proceedings shall be taken in Court against the offenders. The Court shall decide the matter finally, except for the right of appeal to the Court of Cassation within fifteen days from the delivery of the judgment.

Those convicted of having made false declarations shall be punished with imprisonment for a term of one to five years, and a fine of 100 to 20,000 lei, either or both of these punishments being awarded, and they and their families shall lose the status of citizens.

## ARTICLE 5.

Jews whose claims for effective naturalisation have been admitted by virtue of Decree No. 3902 of December, 1918, are and remain citizens without further formality. With regard to applications still pending, these shall be disposed of in accordance with the present Decree.

## ARTICLE 6.

Jews whose applications have been rejected by virtue of the Decree of December, 1918, are no longer at liberty to make the declarations provided for in the present Decree. Their children, if minors, may make the declaration when they attain their majority.

## ARTICLE 7.

Decree No. 3902 of December, 1918, is cancelled.

(*Mr. Lucien Wolf to Mr. E. H. Carr.*)

Délégation des Israélites de l'Empire Britannique.

Paris, le 1er Juillet, 1919.

Monsieur le Secrétaire.—Le 21 février dernier, au nom de la Délégation des Israélites de l'Empire Britannique, j'ai eu l'honneur d'adresser à la Conférence de la Paix un Mémoire relatif aux Israélites de Roumanie; j'y demandais que le nouveau Traité leur reconnaît expressément les droits de citoyen qu'en dépit de l'art. 44 du Traité de Berlin la Roumanie leur a dénié pendant 40 ans sous le prétexte qu'ils étaient étrangers. Je proposais qu'une formule spéciale fût insérée à cet effet dans le Traité.

Ce n'est que lorsqu'il se fut persuadé que les Grandes Puissances étaient résolues à régler définitivement la question juive à la Conférence de la Paix, que le gouvernement roumain promulga les décrets-lois du 28 décembre 1918 et du 22 mai 1919 qui devaient donner satisfaction aux justes revendications des juifs roumains.

Ces deux décrets-lois contiennent des réserves, imposent une procédure et des conditions, qui, dans la pratique, donnent la faculté aux autorités roumaines de refuser la nationalité à de nombreuses catégories de juifs qui légitimement ont droit depuis 40 ans à la qualité de citoyen.

La Délégation des Israélites Britanniques croit qu'il serait essentiel que le Traité de Paix que la Roumanie sera appelée à signer contient un article visant d'une façon formelle les Israélites roumains et reconnaissant expressément leurs droits de citoyen. Cette clause pourrait être conçue dans la forme suivante :

“Sont déclarés de plein droit et sans aucune formalité citoyens roumains et jouiront de tous les droits reconnus par le présent Traité aux Israélites des territoires nouvellement annexés à la Roumanie tous les juifs nés sur le territoire de l'ancienne Roumanie ou y habitant, à l'exception de ceux qui, le 15/28 août 1916 étant inscrits sur les registres des consulats étrangers, appartenaient à une nationalité étrangère.”

Je vous prie, Monsieur le Secrétaire, d'agréer l'assurance de mes hommages respectueux.

LUCIEN WOLF,  
Secrétaire et Délégué spécial de la Délégation des  
Israélites de l'Empire Britannique.

Monsieur E. H. Carr,

Secrétaire de la Commission des Nouveaux Etats, Paris.

(*Minority Treaty with Roumania, December 9, 1919.*)

The United States of America, Great Britain, France, Italy, and Japan, described as the Principal Allied and Associated Powers, on the one hand, and Roumania, on the other hand;

Whereas under Treaties to which the Principal Allied and Associated Powers are parties large accessions of territory are being, and will be, made to the Kingdom of Roumania, and

Whereas Roumania is desirous of its own free will to give full guarantees of Liberty and Justice to all inhabitants both of the old kingdom of Roumania and the territories added thereto, to whatever race or religion they may belong.

For this purpose the following representatives of the High Contracting Parties:

(Names of plenipotentiaries.)

After having exchanged their full powers, found in good and due form, have agreed to conclude the present Treaty.

## CHAPTER I.

### ARTICLE 1.

Roumania undertakes that the stipulations contained in Articles 2—8 of this Chapter shall be recognised as fundamental laws, and that no law, regulation, or official action shall conflict or interfere with these stipulations, nor shall any law, regulation, or official action prevail over them.

### ARTICLE 2.

Roumania undertakes to assure full and complete protection of Life and Liberty to all inhabitants of Roumania, without distinction of birth, nationality, language, race, or religion.

All inhabitants of Roumania shall be entitled to the free exercise, whether public or private, of any creed, religion, or belief whose practices are not inconsistent with public order and public morals.

### ARTICLE 3.

Subject to the special provisions of the Treaties mentioned below, Roumania admits and declares to be Roumanian nationals *ipso facto*, and without the requirement of any formality, all persons habitually resident at the date of the coming into force of the present Treaty within the whole territory of Roumania, including the extensions made by the Treaties of Peace with Austria and Hungary, or any other extensions which may hereafter be made, who are not at that date nationals of any other foreign State except Austria and Hungary.

Nevertheless, Austrian and Hungarian nationals who are over eighteen years of age will be entitled under the conditions contained in the said Treaties to opt for any other nationality which may be open to them. Option by a husband will cover his wife, and option by parents will cover their children under eighteen years of age.

Persons who have exercised the above right to opt must, except where it is otherwise provided in the Treaties of Peace with Austria and Hungary, transfer within the succeeding twelve months their place of residence to the State for which they have opted. They will be entitled to retain their immovable property in Roumanian territory. They may carry with them their movable property of every description. No export duties may be imposed upon them in connection with the removal of such property.

### ARTICLE 4.

Roumania admits and declares to be Roumanian nationals *ipso facto* and without the requirement of any formality persons of Austrian or Hungarian nationality who were born in the territories ceded to Roumania by the Treaties of Peace with Austria and Hungary, or which may hereafter be ceded, of parents habitually resident there, even if at the date of the coming into force of the present Treaty they are not themselves habitually resident there.

Nevertheless, within two years after the coming into force of the present Treaty, these persons may make a declaration before the competent Roumanian authorities in the country in which they are resident, stating that they abandon Roumanian nationality, and they will then cease to be considered as Roumanian nationals. In this connection a declaration by a husband will cover his wife, and a declaration by parents will cover their children under eighteen years of age.

### ARTICLE 5.

Roumania undertakes to put no hindrance in the way of the exercise of the right which the persons concerned have under the Treaties concluded or to be con-

cluded by the Allied and Associated Powers with Austria or Hungary, to choose whether or not they will acquire Roumanian nationality.

#### ARTICLE 6.

All persons born in Roumanian territory who are not born nationals of another State shall *ipso facto* become Roumanian nationals.

#### ARTICLE 7.

Roumania undertakes to recognise as Roumanian nationals *ipso facto* and without the requirement of any formality Jews inhabiting any Roumanian territory who do not possess another nationality.

#### ARTICLE 8.

All Roumanian nationals shall be equal before the law, and shall enjoy the same civil and political rights, without distinction as to race, language or religion.

Differences of religion, creed or confession shall not prejudice any Roumanian national in matters relating to the enjoyment of civil or political rights, as, for instance, admission to public employments, functions, and honours, or the exercise of professions and industries.

No restriction shall be imposed on the free use of any Roumanian national of any language in private intercourse, in commerce, in religion, in the Press, or in publications of any kind, or at public meetings.

Notwithstanding any establishment by the Roumanian Government of an official language, adequate facilities shall be given to Roumanian nationals of non-Roumanian speech for the use of their language, either orally or in writing, before the Courts.

#### ARTICLE 9.

Roumanian nationals who belong to racial, religious or linguistic minorities shall enjoy the same treatment and security in law and in fact as the other Roumanian nationals. In particular they shall have an equal right to establish, manage, and control at their own expense charitable, religious and social institutions, schools and other educational establishments, with the right to use their own language and to exercise their religion freely therein.

#### ARTICLE 10.

Roumania will provide in the public educational system in towns and districts in which a considerable proportion of Roumanian nationals of other than Roumanian speech are resident adequate facilities for ensuring that in the primary schools the instruction shall be given to the children of such Roumanian nationals through the medium of their own language. This provision shall not prevent the Roumanian Government from making the teaching of the Roumanian language obligatory in the said schools.

In towns and districts where there is a considerable proportion of Roumanian nationals belonging to racial, religious or linguistic minorities, these minorities shall be assured an equitable share in the enjoyment and application of the sums which may be provided out of public funds under the State, municipal or other budget, for educational, religious or charitable purposes.

#### ARTICLE 11.

Roumania agrees to accord to the communities of the Saxons and Czecklers in Transylvania local autonomy in regard to scholastic and religious matters, under the control of the Roumanian State.

#### ARTICLE 12.

Roumania agrees that the stipulations in the foregoing Articles, so far as they affect persons belonging to racial, religious or linguistic minorities, constitute

obligations of international concern and shall be placed under the guarantee of the League of Nations. They shall not be modified without the assent of a majority of the Council of the League of Nations. The United States, the British Empire, France, Italy and Japan hereby agree not to withhold their assent from any modification in these Articles which is in due form assented to by a majority of the Council of the League of Nations.

Roumania agrees that any Member of the Council of the League of Nations shall have the right to bring to the attention of the Council any infraction, or any danger of infraction, of any of these obligations, and that the Council may thereupon take such action and give such direction as it may deem proper and effective in the circumstances.

Roumania further agrees that any difference of opinion as to questions of law or fact arising out of these Articles between the Roumanian Government and any one of the Principal Allied and Associated Powers or any other Power, a Member of the Council of the League of Nations, shall be held to be a dispute of an international character under Article 14 of the Covenant of the League of Nations. The Roumanian Government hereby consents that any such dispute shall, if the other party thereto demands, be referred to the Permanent Court of International Justice. The decision of the Permanent Court shall be final and shall have the same force and effect as an award under Article 13 of the Covenant.

## CHAPTER II.

(The Articles of this chapter relate exclusively to economic questions.)

In faith whereof the above-named plenipotentiaries have signed the present Treaty.

Done at Saint-Germain-en-Laye, the ninth day of December, One thousand nine hundred and nineteen, in a single copy, which will remain deposited in the archives of the French Republic, and of which authenticated copies will be transmitted to each of the Signatory Powers.

[Plenipotentiaries, who, in consequence of their temporary absence from Paris, have not signed the present Treaty, may do so up to December 20th, 1919.]

(Signatures.)

### (h) BULGARIA.

#### No. 50.

(*Minority Clauses in the Bulgarian Treaty, November 27, 1919.*)

### PART III., SECTION IV.—PROTECTION OF MINORITIES (ARTICLES 49—57).

(The Articles in this section of the Bulgarian Treaty reproduce exactly those laid down in the Austrian Treaty for the protection of Minorities. *Supra* pp. 92—94.)

### (i) GREECE.

#### No. 51.

(*Mr. Lucien Wolf to M. Venizelos.*)

Paris, August 23rd, 1919.

Your Excellency,—In reference to our conversation this morning it may be useful to your Excellency if I put in writing the opinion I ventured to express with regard to Article 11 of the Draft Treaty.

I do not attach a vital importance to this Article especially in view of the tolerant traditions of Greece and the provisions of Articles 2 and 7, and the general guarantees of the Treaty. It seems to me, however, that where Jews live in masses, and especially where they constitute a majority of the population, as in Salonika, guarantees in regard to the holding of elections on the Jewish Sabbath are necessary. In such cases I should also like some provision permitting Jews who observe the Saturday Sabbath to work and trade on Sundays.

It may perhaps be possible for your Government to give assurances on these points without making stipulations in regard to them in the Treaty.

In expressing the above views I must not be understood as pledging in any way the general body of Jews.—I have the honour to be, of your Excellency, the most obedient humble servant,

LUCIEN WOLF.

His Excellency Monsieur Venizelos.

**No. 52.**

(*M. Venizelos to Mr. Lucien Wolf.*)

Délégation Hellénique au Congrès de la Paix.

Paris, August 27th, 1919.

Dear Sir,—Replying to your kind letter under date of August 23rd, I have the honour to acquaint you with the following information:—

1. The elections in Greece are always held on Sundays—it being fixed by law that the citizens of Greece should exercise their sacred right of citizenship on that day. In fact, had you pleaded with me for a change in this, I am afraid I could not even consider such a proposition. I am glad, however, that we both agree on this point.

2. About two and a-half years ago, when the Greek law of "Sunday Rest" was extended to Salonika, it was universally observed on the first Sunday following its application. According to the law its application was to be effected by virtue of police orders, and on the protest of the Rabbi of Salonika an order was immediately issued in Salonika allowing Jews who observed the Saturday Sabbath to work and trade on Sundays. So the "Sunday Rest" law affected the Jews in Salonika only one Sunday, and ever since they have been enjoying the Saturday Sabbath Rest without inconvenience to them.

To conclude, will you permit me to point out that a Government which has repeatedly given proof of such a spirit of liberal equality in political and religious matters need hardly be asked to give further assurances on these points, but in case you deem it necessary you can use this letter for that purpose.

I am, Sir,

Yours very truly,

E. K. VENIZELOS.

**No. 53.**

(*Mr. Lucien Wolf to M. Venizelos.*)

Paris, August 28th, 1919.

Your Excellency,—I have the honour to acknowledge the receipt of your Excellency's letter of the 27th inst., and to thank you for the very gratifying information and assurances it contains. I will not fail to communicate this information to my friends who are interested in the question to which it relates, and I will write to your Excellency further on the subject in the course of a few days.—I have the honour to remain, of your Excellency, the most obedient humble servant,

LUCIEN WOLF.

His Excellency Monsieur Venizelos.

**No. 54.**

(*The Joint Delegation to M. Venizelos.*)

Paris, September 8th, 1919.

Your Excellency,—In reference to the letter which your Excellency was good enough to address to me on the 27th ult., I have been authorised by my Delegation to express to your Excellency their grateful acknowledgement of the assurances therein contained.

My Delegation interpret those assurances as implying that in the opinion of your Excellency the present arrangements in regard to the holding of elections on Sundays and the application of the "Sunday Rest Law" in Salonika should be permanent, and that your Excellency will use your best efforts to assure that they shall be so. Accordingly my Delegation are happy to assure your Excellency that they approve of, and associate themselves with, the view of Article 10 of the Draft Treaty set forth in my letter of the 23rd ult., and hence they do not regard the retention of that Article as essential to the Treaty.—I have the honour to remain, of your Excellency, the most obedient humble servant,

LUCIEN WOLF.

His Excellency Monsieur Venizelos, etc., etc., etc.

(j) FINLAND.

**No. 55.**

(*Joint Delegation to the Supreme Council.*)

Delegation of the Jews of the British Empire.

Paris, July 3rd, 1919.

To the President and Members of the Supreme Council of the Peace Conference.

Your Excellencies,—I am directed by the Delegation of the Jews of the British Empire to submit for your high consideration the following respectful observations on the omission of the new Republic of Finland from the list of New States with whom your Excellencies are now in process of negotiating Treaties providing for their good government in conformity with "the principle of liberty and justice."

My Delegation are convinced that this omission is due to an oversight, for independent Finland is as much a new State as Poland or Czechoslovakia, and must be equally liable with them to give guarantees for good government to the Great Powers in accordance with the European tradition which has regulated matters of this kind for more than a century. The necessity for requiring a Treaty from Finland is moreover emphasized by the fact that the institutions of the new Republic still leave much to be desired on the score of civil and religious liberty, and that the Jews especially have reason to complain of regrettable discriminations. After the Russian revolution of March, 1917, when the ancient autonomous privileges of the Grand Duchy were restored, it was hoped that the Finnish Constitution would be amended in these respects. Unfortunately this hope has not been fulfilled. Political disabilities weighing on all persons not conforming with the dominant Lutheran religion—including non-Lutheran Protestants—have been maintained, and the only concession made has been the adoption by the Diet in April, 1917, of a law permitting Jews, native or foreign, to acquire Finnish citizenship on the same conditions as immigrant Russians or foreigners respectively, while the rights attaching to such citizenship were assimilated to the limited rights of members of other non-Lutheran communities. This is a situation which can scarcely be described as in conformity with the principles of "liberty and justice," and it would obviously be unfair to overlook it in Finland when Roumania is being called upon by your Excellencies to remedy almost precisely similar defects in her Constitution. I am

therefore instructed to express the hope that your Excellencies will see fit to propose to the Republic of Finland a Treaty similar to the Treaties which are in negotiation with other new and enlarged States in Eastern Europe.

I am to add that my Delegation have every reason to believe that the present Government of the Republic of Finland are anxious, when the opportunity presents itself, to reform their institutions in the sense indicated above, and that they would welcome an opportunity of giving to the Peace Conference such assurances of good government as would be required of them under the proposed Treaty.

I have the honour to be

Your Excellencies' most obedient humble Servant,

LUCIEN WOLF,

Secretary and Special Delegate *ad interim* of the Delegation  
of the Jews of the British Empire.

(For the reply see *infra* No. 64, p. 116.)

(k) RUSSIA.

**NO. 56.**

(*Telegrams from Omsk communicated by Russian Delegation.*)

Omsk, 19th May, 1919.

At Oufa, Admiral Koltchak received representatives of the Jewish population, and answered their petition as follows:—" My former declarations have already made known my opinion on the Jewish Question. I am a convinced enemy of all racial persecution, and I have no reason whatever for changing my opinion on this matter."

Omsk, 6th June, 1919.

Admiral Koltchak has sent the following communication to the Russian Political Conference in Paris:—

" I have learnt that rumours are being circulated concerning the anxiety of the Jewish population of Russia about its fate in the future. This is the reason I find it important to repeat publicly my point of view which I have already announced more than once. The aim of the Government is to guarantee to all the Peoples of Russia, without distinction of religion or nationality, a complete equality before the law, which must guarantee the individual safety of all citizens. It is in this sense that I have spoken more than once with the deputies of the Jewish communities who have presented themselves to me in order to declare their loyalty and their patriotism. Given these facts, manifestations of national discord should not be allowed, as they do harm to the peaceful tenor of the lives of this or that party of the population."

**No. 57.**

(*Correspondence between the Supreme Council and Admiral Koltchak.—Extracts.*)

Paris, May 26th, 1919.

The Allied and Associated Powers . . . are disposed to assist the Government of Admiral Koltchak and his associates to establish themselves as the Government

of all Russia, provided they receive from them definite guarantees that their policy has the same objects in view as that of the Allied and Associated Powers. With this object they would ask Admiral Koltchak and his associates whether they will agree to the following as the conditions upon which they accept continued assistance from the Allied and Associated Powers . . .

They wish to be assured that those whom they are prepared to assist stand for the civil and religious liberty of all Russian citizens, and will make no attempt to reintroduce the régime which the Revolution has destroyed.

Fourthly, that the independence of Finland and Poland be recognised. . .

Fifthly, that if a solution of the relations between Estonia, Latvia, Lithuania, and the Caucasian and Transcaspian territories under Russia is not speedily reached by agreement the settlement will be made in consultation and co-operation with the League of Nations. . .

G. CLEMENCEAU.

D. LLOYD GEORGE.

V. E. ORLANDO.

WOODROW WILSON.

SAIONJI.

Omsk, June 4, 1919.

3. Considering the creation of a unified Polish State to be one of the chief of the normal and just consequences of the world war, the Government thinks itself justified in confirming the independence of Poland, proclaimed by the Provisional Russian Government of 1917, all the pledges and decrees of which we have accepted . . . we are disposed at once to recognise the *de facto* Government of Finland, but the final solution of the Finnish question must belong to the Constituent Assembly.

4. We are fully disposed at once to prepare for the solution of the questions concerning the fate of the national groups in Estonia, Latvia, Lithuania, and of the Caucasian and Transcaspian countries. . . . .

And even in case difficulties should arise in regard to the solution of these various questions the Government is ready to have recourse to the collaboration and good offices of the League of Nations with a view to arriving at a satisfactory settlement. . . . .

8. Having set ourselves the task of re-establishing order and justice, and of ensuring individual security to the persecuted population, which is tired of trials and exactions, the Government affirms the equality before the law of all classes and all citizens without any special privilege. All shall receive, without distinction of origin or of religion, the protection of the State and the Law. . . . .

KOLTCHAK.

(l) PALESTINE.

**No. 58.**

*(Statement of Policy on the Palestine Question.)*

The Joint Foreign Committee approve the Declaration of His Majesty's Government on the Palestine Question contained in a letter addressed to Lord

Rothschild by the Secretary of State for Foreign Affairs under date of November 2nd, 1917, it being understood that nothing in that letter shall be held to imply that Jews constitute a separate political nationality all over the world or that Jewish citizens of countries outside Palestine owe political allegiance to the Government of that country.

The Joint Foreign Committee are of opinion that, in regard to any Organic Statute or Constitution which the Peace Conference or the new Suzerain of Palestine may frame for the Government of that country, the following points should be urged on behalf of the Anglo-Jewish community:—

1. That the sovereignty of Palestine be vested in Great Britain with a Mandate to carry out the Declaration of November 2, 1917.
2. That the boundaries of the new Palestine be so drawn as to afford room and favourable conditions for a large settlement of Jews, care being taken to safeguard the vested interests and rights of the existing non-Jewish population.
3. That the political, economic and moral organisation of the country be such as to facilitate the increase and self-government of the Jewish population with a view to its eventual predominance in the government of the State, in accordance with the principles of democracy.
4. That for the whole population of Palestine there shall be complete religious equality.
5. That there shall be the fullest equality of political and economic rights for the members of all races and religious communities.
6. That the Hebrew language be recognised and employed as an official language of the country.
7. That the Jewish Sabbath and Holy days be recognised as legal days of rest for Jews, and that Jews observing them be not constrained to abstain from work on the Holy days of other religious communities.
8. That the Central Authority of the Jewish population be empowered to enact and administer a system of education for the Jews of Palestine with Hebrew as the medium of instruction, subject to the right of any school not in receipt of public funds to decline the system.
9. That the control of the Jewish Holy Places in Palestine be reserved to the Jews on the same footing as the Christian and Mahommedan Holy places are controlled by their respective religious communities.

With regard to the administrative machinery of the "National Home" and its relations to the Sovereign Power, the Joint Committee have no detailed proposals to make at this moment. They deprecate, however, any permanent scheme of external Jewish control or interference such as might impair the growth of a healthy system of local self-government.

February 4th, 1919.

*Note.*—The above Statement of Policy was approved by the Board of Deputies of British Jews on March 22, 1919, and by the Council of the Anglo-Jewish Association on March 30, and was ordered to be communicated to the Peace Conference in Paris. This was done on April 14.

*(The Peace Conference to Mr. Lucien Wolf.)*

Conférence de la Paix Secrétariat Général.  
Quai d'Orsay, Paris,

le 25 Avril, 1919.

Le Secrétariat Général de la Conférence de la Paix a l'honneur d'accuser réception à Mr. Lucien Wolf de sa communication, en date du 14 Avril.

La Déclaration qui y était jointe a été communiquée aux Délégations faisant partie du Conseil Suprême des Alliés.

Monsieur Lucien Wolf,

Hotel Chatham, 19, Rue Daunou, Paris.

*(Sir Eric Drummond to Mr. Lucien Wolf.)*

British Delegation,

Paris, April 19th, 1919.

Dear Mr. Wolf,—Mr. Balfour desires me to acknowledge, with thanks, the receipt of your letter of April 15th enclosing a copy of a statement of policy on the Palestine question submitted to the Peace Conference by the Joint Foreign Committee of the Jewish Board of Deputies and the Anglo-Jewish Association.—Yours very truly,

ERIC DRUMMOND.

*(The Joint Delegation to M. Dutasta.)*

Paris, le 3 Juillet, 1919.

Monsieur le Secrétaire Général,—La Délégation des Israélites de l'Empire Britannique a été priée par l'English Zionist Federation de présenter à la Conférence de la Paix une pétition dont j'ai l'honneur de vous envoyer ci-incluses six copies. Je vous prie de faire distribuer ces copies parmi les Membres du Conseil Suprême de la Conférence. L'original de la pétition revêtu de 77,039 signatures vous a été expédié de Londres et vous sera livré en quelques jours. En attendant vous trouverez ci-inclus un certificat du nombre et de l'authenticité des signatures.

Veuillez agréer, Monsieur le Secrétaire Général, l'assurance de ma haute considération.

LUCIEN WOLF.

Secrétaire et Délégué spécial *ad interim* de la Délégation  
des Israélites de l'Empire Britannique.

Son Excellence, Monsieur Dutasta,

Secrétaire Général de la Conférence de la Paix.

*Enclosure in No. 61*

**PETITION OF THE JEWS OF THE UNITED KINGDOM TO THE  
PEACE CONFERENCE.**

His Majesty's Government on the Second day of November, One thousand nine hundred and seventeen, conveyed to the Zionist Federation, in a letter addressed by the Right Honourable Arthur James Balfour, His Majesty's Secretary of State for

Foreign Affairs, to the Right Honourable Lord Rothschild, the following declaration of sympathy with Jewish Zionist aspirations:—

“ His Majesty’s Government view with favour the establishment in Palestine of a National Home for the Jewish people, and will use their best endeavours to facilitate the achievement of this object, it being clearly understood that nothing shall be done which may prejudice the civil and religious rights of existing non-Jewish communities in Palestine or the rights and political status enjoyed by Jews in any other country.”

And the foregoing declaration having been endorsed by the Governments of the Allied countries and by the President of the United States,

We, the undersigned adult Jews and Jewesses of the United Kingdom, hereby request the Peace Conference to make such provisions regarding Palestine as shall secure to the Jewish people the fullest rights and the opportunity to reconstitute Palestine as its National Home.

(77,039 signatures.)

**No. 62.**

(*Mr. Lucien Wolf to Mr. Balfour.*)

Delegation of the Jews of the British Empire.

Paris, July 3rd, 1919.

Dear Mr. Balfour,—I beg to hand you herewith a copy of a petition, the original of which, at the request of the English Zionist Federation, I have to-day transmitted to M. Dutasta for submission to the Supreme Council of the Peace Conference. The petition is signed by no fewer than 77,039 adult Jews and Jewesses of the United Kingdom.

I ought to add that, while in general agreement with the policy of His Majesty’s Government in regard to Palestine, and while happy to act as the medium of communication between the English Zionists and the Peace Conference, my Delegation must not be regarded as accepting all the implications of this petition.

Believe me, dear Mr. Balfour,  
very faithfully yours,

LUCIEN WOLF.

**No. 63.**

(*Mr. Balfour to Mr. Lucien Wolf.*)

British Delegation, Paris,

July 30th, 1919.

Dear Mr. Wolf,—I am much obliged for your letter of July 3rd sending me a copy of the petition submitted to the Supreme Council of the Peace Conference by the English Zionist Federation.

You may rest assured when the settlement of Palestine comes to be made the

observations that you have brought to my notice will receive the most careful attention of His Majesty's Government.

I hope that you will forgive the delay in answering your letter, but my time has been much occupied by the pressing business of the Conference these last few weeks.—Yours truly,

ARTHUR JAMES BALFOUR.

Lucien Wolf, Esq.

**No. 64.**

(*The Peace Conference to the Joint Committee.*)

Conférence de la Paix,  
Secrétariat Général,  
Quai d'Orsay, Paris,  
le 4 Juillet, 1919.

Le Secrétariat Général de la Conférence de la Paix a l'honneur d'accuser réception au "Joint Foreign Committee" de ses deux mémoires en date du 3 Juillet et relatifs

1. à la République de Finlande.
2. à une pétition de Fédération sioniste britannique.

Monsieur Lucien Wolf,  
Secrétaire et Délégué,  
Délégation des Israélites de l'Empire Britannique.

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